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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	94002525
Party	User Terra Sul Corporation a/k/a Churrascaria Boi Na Brasa
Correspondence Address	EAMON J WALL WALL & TONG LLP 25 JAMES WAY EATONTOWN, NJ 077724 UNITED STATES docketing@walltong.com, lcrater@walltong.com, ewart@walltong.com
Submission	Other Motions/Papers
Filer's Name	Eamon J. Wall
Filer's e-mail	ewart@walltong.com
Signature	/Eamon J. Wall/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Pending Application Serial No. 77/779,339  
Application Filing Date: July 13, 2009  
Publication Date: June 22, 2010

Boi Na Braza, LLC,  
  
Applicant.

vs.

Terra Sul Corporation a/k/a  
Churrascaria Boi Na Brasa,  
  
Excepted User,

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Concurrent Use No. 94002525

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**TERRA SUL CORPORATION'S MOTION TO USE TESTIMONY FROM A PRIOR  
PROCEEDING AND MOTION TO EXTEND TRIAL PERIOD**

Excepted User Terra Sul Corporation ("Terra Sul" or "Excepted User") hereby requests on motion that the Trademark Trial and Appeal Board ("the Board") accept and admit to the record as evidence in the present concurrent use proceeding, certain testimony from prior Cancellation Proceeding No. 92047056 pursuant to 37 C.F.R. § 2.122 (f) and Trademark Trial and Appeal Board Manual of Procedure ("TBMP") §§ 530 and 704.13. The testimony from the prior proceeding sought to be introduced is attached hereto as Exhibits A and B. Exhibit A is relevant portions of a discovery deposition of Mr. Farid Saleh of Terra Sul dated March 25, 2008 and exhibits from the deposition. Exhibit B is relevant portions of a testimony deposition of Mr. Saleh dated August 7, 2008 along with exhibits thereto. In addition, in the event that the Board denies the present motion to use testimony from a prior proceeding or in the event the Board is unable to decide the such motion prior to the close of Terra Sul's Trial Period on October 19, 2012, Terra Sul further moves for the Board to extend the Trial Period an additional 30 days

from the date of any decision and/or order denying the motion, or for such other time period that the Board deems proper in the circumstances.

### **STATEMENT OF LAW**

Under 37 C.F.R. § 2.122(f): “testimony taken in another proceeding, or testimony taken in a suit or action in a court, between the same parties or those in privity may be used in a proceeding, so far as relevant and material, subject, however, to the right of any adverse party to recall or demand the recall for examination or cross-examination of any witness whose prior testimony has been offered and to rebut the testimony.” In addition, according to TBMP § 704.13: “[t]he Board has construed the term “testimony,” as used in 37 CFR § 2.122(f), as meaning only trial testimony, or a discovery deposition which was used, by agreement of the parties, as trial testimony in the other proceeding.” (*See also* TBMP § 530).

### **FACTS AND ARGUMENT**

On January 29, 2007, Terra Sul filed a petition to cancel Boi Na Brasa, Inc.’s (“Boi Na Brasa” or “Applicant”) geographically unrestricted Registration No. 2534608 for the mark BOI NA BRAZA for “restaurant services” in class 042. On June 12, 2009, the Board granted Terra Sul’s petition in Cancellation Proceeding No. 92047056. On July 13, 2009, Applicant filed Application No. 77/779,339 to register the mark BOI NA BRAZA for “restaurant and bar services” in class 043 with a geographic restriction of the entire United States excluding New Jersey. On August 23, 2010, Terra Sul filed a Notice of Opposition against Application No. 77/779,339, which was assigned Opposition No. 91196845. On December 13, 2011, the Board dismissed Opposition No. 91196845 without prejudice and instituted the present Concurrent Use

Proceeding No. 94002525. On June 6, 2012, Applicant filed a motion to amend the Application to exclude both the state of New Jersey and the state of New York, instead of excluding only the state of New Jersey. On August 2, 2012 (during its Trial Period) the Applicant filed a motion to use testimony from the prior Cancellation Proceeding No. 92047056. Excepted User Terra Sul's Trial Period commenced on September 19, 2012 and ends on October 19, 2012.

Based upon the foregoing, it is clear that the parties in the present Cancellation Proceeding are the same parties in the prior Cancellation Proceeding No. 92047056. In addition, the marks at issue are identical. As such, testimony in the prior proceeding is relevant to establish the parties' respective dates of first use of the mark in commerce and the geographic scope of the parties' respective uses of the mark, among other things. In short, the facts and evidence supporting Terra Sul's arguments at trial in the prior Cancellation Proceeding No. 92047056 are the same facts and evidence which support its positions in the present case, such as, that two users of the mark cannot operate simultaneously within the geographic restrictions sought by the Applicant without resulting confusion being caused to the public. Permitting the use of the attached testimony from the prior Cancellation Proceeding No. 92047056 is proper insofar as it relieves the parties of the burden of having to duplicate testimony depositions and authenticate evidence that was already properly introduced in the prior proceeding.

Exhibit A is selected portions of a discovery deposition of Mr. Farid Saleh of Terra Sul dated March 25, 2008 (relevant pages 30-86 and 91-92) and exhibits from the deposition (Exhibits 11-13). It is noted that although the discovery deposition is of an officer of Terra Sul, the deposition and exhibits was introduced as trial testimony and relied upon by the Applicant in the prior Cancellation Proceeding. (See Exhibit C – Notice of Reliance dated November 12, 2008). Exhibit B is selected portions of a testimony deposition of Mr. Saleh dated August 7,

2008 (relevant pages 40-49, 58-72 and 88-95) along with exhibits thereto (Exhibits 15-17 and 22).

It is further noted that Applicant has filed its own motion to rely upon substantially the same testimony from this same prior proceeding (i.e., the discovery deposition of Mr. Farid Saleh of Terra Sul dated March 25, 2008 and the testimony deposition of Mr. Saleh dated August 7, 2008, both from the prior Cancellation Proceeding). Excepted User Terra Sul does not oppose this motion. Given that both parties have presented similar motions to the Board, Terra Sul is confident that both of such motions shall be granted. However, in the event that the present motion to introduce testimony from a prior proceeding is denied, it is respectfully requested that the Board extend Terra Sul's Trial Period an additional 30 days from the date of any such decision/order, or for such other period of time as the Board deems proper in the circumstances. (See TMBP § 530: if "the moving party believe that it will need additional time to present evidence if the motion is denied, the moving party should file with its motion under 37 CFR § 2.122(f) a motion to extend its testimony period.").

**CONCLUSION**

Thus, for all of the above reasons, the present motion should be granted.

Date: October 18, 2012

Respectfully submitted,

/s/ Eamon J. Wall

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Eamon J. Wall  
Attorney-in-Charge  
N.J. Bar No. NJ-2757-1994  
N.J. Dist. Ct. No. EW 3533  
WALL & TONG, LLP  
25 James Way  
Eatontown, New Jersey 07724  
Tel: (732) 542-2280  
Fax: (732) 542-2283  
[ewall@walltong.com](mailto:ewall@walltong.com)

TERRA SUL CORPORATION a/k/a  
CHURRASCARIA BOI NA BRASA

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of **“TERRA SUL CORPORATION’S MOTION TO USE TESTIMONY FROM PRIOR PROCEEDING AND MOTION TO EXTEND TRIAL PERIOD”** was served on the parties listed below, via ☐ hand delivery, ☒ first class mail, ☐ facsimile, and/or ☒ electronic mail on this 18th day of October, 2012.

Herbert J. Hammond  
Justin S. Cohen  
THOMPSON & KNIGHT L.L.P.  
1722 Routh Street  
Suite 1500  
Dallas, Texas 75201

Dated: October 18, 2012

/s/ Eamon J. Wall

\_\_\_\_\_  
Eamon J. Wall

# EXHIBIT A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD  
In the Matter of Trademark Registration  
No. 2,534,608  
Registered on January 29, 2002

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TERRA SUL CORORATION a/k/a  
CHURRASCARIA BOI NA BRASA,  
Petitioner,

vs.

CANCELLATION NO.92047056

BOI NA BRAZA, INC.,  
Respondent.

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Transcript of the deposition of FARID  
SALEH, taken in the law offices of Simoes &  
Montiero, 83 Polk Street, Newark, New Jersey, on  
March 25, 2008 commencing at about nine o'clock in  
the forenoon.

CLASS ACT REPORTING AGENCY  
133-H Gaither Drive  
Mt. Laurel, NJ 08054

Terra Sul Corp. v. Boi Na Braza Inc.  
Farid Saleh

2 (Pages 2 to 5)

2	4
<p>1 2 APPEARANCES: 3 THOMPSON &amp; KNIGHT, LLP 4 By: IRENE R. DUBOWY, ESQ. 5 919 Third Avenue 6 New York, New York 10128 7 On behalf of Respondent 8 9 PATTERSON &amp; SHERIDAN, LLP 10 By: EAMON J. WALL, ESQ. 11 595 Shrewsbury Avenue 12 Shrewsbury, New Jersey 07702 13 On behalf of Petitioner 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 about the subject matter of this proceeding. 2 The court reporter, he is going to take 3 down my questions and your answers so before you 4 start answering a question let me finish the 5 question first. That way it is going to be easier 6 for the court reporter and for the interpreter to be 7 able to do their jobs. 8 If at any time you don't understand a 9 question, rather than guessing I would prefer you to 10 tell us that you don't understand it and I will try 11 to rephrase my question. 12 A Okay. 13 Q If you respond to a question I am going to 14 assume that you understood it. 15 This deposition is being transcribed by 16 the court reporter and everything that is said here 17 today is actually going to be in a transcript so if 18 later on during the pendency of this proceeding if 19 there is any type of discrepancy between your 20 testimony here today and later we are going to ask 21 you to account for any discrepancy. 22 Your testimony today here is under oath as 23 if you were testifying in Court. You have to tell 24 the truth and if you fail to tell the truth adverse 25 consequences may derive from that.</p>
3	5
<p>1 (Zilda Buzack was sworn as the 2 Portuguese-English Interpreter) 3 (All proceedings were had through the 4 Portuguese-English Interpreter) 5 FARID SALEH, 6 having been first 7 duly sworn or affirmed 8 testified as follows: 9 10 DIRECT EXAMINATION BY 11 MS. DUBOWY: 12 Q MS. DUBOWY: The usual stipulations, 13 Counsel? 14 MR. WALL: Okay. 15 Q Mr. Saleh, my name is Irene Dubowy, I 16 represent Boi na Braza, Inc. in this proceeding and 17 I am here to take your deposition. 18 Have you were been deposed before? 19 A No. 20 Q Have you ever given testimony in Court? 21 A No. 22 Q So this is the first time you have been 23 involved in a proceeding like this? 24 A Yes. 25 Q I'm going to ask you a series of questions</p>	<p>1 Is there any reason why you can't give 2 testimony today; are you under the influence of any 3 drugs or do you have some kind of health problem 4 that would prevent you from giving truthful and 5 accurate testimony here today? 6 A No. 7 Q Between the time you found out that you 8 would be deposed and today have you spoken with 9 anybody about this proceeding? 10 A With my wife. 11 Q Did you speak with your attorney? 12 A With him, yes. 13 Q Did you review any documents in connection 14 with your deposition today? 15 A What type of documents? 16 Q Documents that were filed by the attorneys 17 in connection with this proceeding? 18 A Actually just the papers, the papers and things 19 that I have because this is the truth, this is my 20 life. 21 MR. WALL: We are not going to go into 22 work product? 23 MS. DUBOWY: No, I'm not going to, I just 24 wanted to know what documents he reviewed so if 25 there is anything he forgets I will try to -- you</p>

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1 Q How do you translate Boi na Braza, with a  
2 Z?  
3 A Boi na Brasa with a Z?  
4 Q Yes.  
5 A Braza with a Z is Braza like, you know, where  
6 do you come from? Oh, I come from Braza.  
7 Q What is Braza?  
8 A Braza is used to define terms from Brazil or  
9 things from Brazil, "Oh, I came from Braza."  
10 Q How do you spell Brazil in Portuguese?  
11 A Brazil?  
12 Q Yes.  
13 A B-A-R-- no, actually B-R-A-S-I-L.  
14 Q With an S in it?  
15 A Yes.  
16 Q And Braza, how do you spell Braza, with a  
17 Z, or with an S?  
18 A I don't get your question.  
19 Q How do you spell Braza as a name in  
20 Brazil --  
21 A B-R-A-Z-A.  
22 Q Why do you spell Braza with a Z even  
23 though you are referring to the country which in  
24 Portuguese is with an S?  
5 A What is that?

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1 Q Why do you spell Braza with a Z even  
2 though you are referring to the country which in  
3 Portuguese is with an S?  
4 A Brasa in the Portuguese language, as I  
5 explained to you before, is with an S, because  
6 that's the correct way to use it because the sound,  
7 there is a Z sound because it is in between vowels.  
8 Q I appreciate that, but my question was a  
9 little bit different.  
10 My question is: Why do you spell Braza as  
11 related to Brazil, not to coal, with a Z even though  
12 the country is spelled in Portuguese with an S?  
13 A Because it is a slang, slang that people use  
14 for things for people coming from Brazil, let's say  
15 those slippers, they come from Braza.  
16 Q So could it be that Boi na Braza, with a  
17 Z, is trying to convey the message that it is a  
18 coal, but it's a restaurant in America in English?  
19 MR. WALL: Are you asking him for an  
20 expert translation of the term, or his common  
21 understanding of the term?  
22 MS. DUBOWY: His common understanding.  
23 A Now, what is the question then, the appropriate  
24 question then?  
5 Q My question to you is, what do you think

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1 in your common understanding when you read Boi na  
2 Braza with a Z?  
3 A In my opinion I think we always have to try and  
4 write and speak in a correct way, and I give the  
5 name with an S, which is how I have always known it  
6 since I am a kid.  
7 And I try to write in the appropriate way  
8 and think the appropriate way is with an S.  
9 And the way that they spell it, with a Z,  
10 as it is written here, I think it is wrong, but to  
11 each their own.  
12 Q I show you P-9, this is a printout from a  
13 Website and it says "Churrascaria Braza."  
14 (Exhibit P-9, Printout from Website of  
15 "Churrascaria Braza", marked for identification.)  
16 Q It says "Churrascaria Braza" in Hartford,  
17 Connecticut and they spell braza with a Z; do you  
18 think they are also misspelling the word?  
19 A Yes.  
20 Q Do you think they did that on purpose, or  
21 do you think they just don't know how to spell the  
22 word?  
23 MR. WALL: You are asking him to comment  
24 on somebody else's reasoning, come on.  
25 A But it is Churrascaria Braza with a Z, right?

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1 A That's what it says.  
2 Q Braziro a word derived from braza is also  
3 with a Z?  
4 A Yes, it is.  
5 Q Do you know whether Brasil was ever  
6 written with the letter Z rather than an S in  
7 Portuguese?  
8 A Brasil in Portuguese is with an S.  
9 Q Yes, but before 1931, before the  
10 Orthographic Reform of 1931, the convention between  
11 Portugal and Brazil, do you know how our country's  
12 name was spelled in Portuguese, was that with a Z,  
13 or with an S?  
14 A I don't know because a lot of words and a lot  
15 of things have changed in our language since that  
16 time.  
17 Q Even nowadays some people in Brazil even  
18 from just reading things that old people write,  
19 sometimes we can tell that they didn't quite keep up  
20 with the way we are supposed to write nowadays,  
21 right?  
22 A No, I don't know.  
23 Q You don't know, okay, that's fair enough.  
24 MS. DUBOWY: I will now mark P-10 for  
25 identification

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1 (Exhibit P-10, Article re: Pantanal  
2 Region, marked for identification.)  
3 Q This is an article, the printout from a  
4 Website the title of the article is, "Fazenda de  
5 quase 100 anos te leva para o universo do  
6 pananeiro".  
7 Is the Panpanal region famous for its  
8 churrascaria?  
9 A No, I have never been there.  
10 Q I'm going to ask you to just take a look  
11 at page 2 of this document, paragraph 4.  
12 Can you read for us paragraph 4 out loud?  
13 A Wetland, as it is customary and in wetland  
14 region, barbecue is cooked in pits, the hot coal  
15 barbecue pits is prepared in a hole on the ground  
16 and large portions of meat barbecued on skewers  
17 which are horizontally held over the coal.  
18 MR. WALL: We will stipulate that they use  
19 a Z in this article, if that's what you want.  
20 MS. DUBOWY: You can stipulate that but  
21 that's not where I am going.  
22 MR. WALL: Okay.  
23 Q So can you explain to me how is the  
24 barbecue prepared in that region, how do they do it,  
5 based on reading this?

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1 A I don't know, I have never been there.  
2 Here it says that it is made in a hole on  
3 the ground and that there are large sized pieces of  
4 meat that are barbecued and that are leaned against  
5 something, it doesn't say here what.  
6 Q Where do you put the coal, how is it  
7 cooked, how do you cook it?  
8 A On the churrascaria, that's how we cook it.  
9 Q The paragraph says that the brazeiro is  
10 prepared in a hole in the ground.  
11 How do you understand this process?  
12 A I don't understand the way in which you are  
13 actually posing your question.  
14 Q I'm asking what is your understanding of  
15 the sentence, "Brazeiro e preparado em um buraco no  
16 chao"?  
17 A That the fire is created on the ground.  
18 Q The hot coals are placed in the bottom of  
19 the pit, so you don't understand this to mean  
20 anything relating to Brazil?  
21 A But this is from Brazil, you got this thing  
22 from Brazil.  
23 This is in the State of Mato Grosso do  
4 Sul, in the wetlands, which is very far from where  
5 we are.

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1 Q So you think braza with a Z may not have  
2 the same connotation outside of Newark, outside of  
3 where you live, outside the community, the Brazilian  
4 community here, with a Z?  
5 MR. WALL: The Newark Brazilian community,  
6 or the Brazilian community at-large?  
7 MS. DUBOWY: The Newark Brazilian  
8 community.  
9 A Here in Newark everybody comes here, so when  
10 we want something, an article or something from  
11 Braza, you go to the convenience stores that we  
12 have, Centro Brazil, Coisa Nossa, so they come here  
13 and buy, let's say they come here to eat at  
14 restaurants, they take advantage to buy things that  
15 are not that outside here.  
16 MR. WALL: He can certainly testify to  
17 what he knows and what he believes.  
18 I don't know if it is fair to ask him to  
19 testify as to what the whole Newark Brazilian  
20 community or the whole Hudson County Brazilian  
21 community--  
22 MS. DUBOWY: I think it is because he said  
23 he based his belief that all things Brazilian is  
24 based on his knowledge.  
25 MR. WALL: His knowledge, yes, but you are

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1 asking him to testify as to the knowledge of the  
2 community as a whole, however you define  
3 "community."  
4 MS. DUBOWY: How he is using it in the  
5 Newark community.  
6 MR. WALL: Why don't you just ask him  
7 straight out what he thinks of it.  
8 MS. DUBOWY: I will.  
9 (Record read.)  
10 A I don't know.  
11 Q The reason why you don't think brazeiro  
12 with a Z in this article is because it is in  
13 Brazil, it is because it is a different  
14 interpretation, and my question to you is, do you  
15 think maybe braza with a Z has a specific  
16 connotation here in the Newark community of the  
17 meaning of braza with a Z, in the community  
18 Brazilian here in Newark?  
19 MR. WALL: Again --  
20 MS. DUBOWY: I think he can answer the  
21 question.  
22 A People when they talk about braza, I can talk  
23 for myself, not for other people, braza is  
24 something from Brazil.  
25 But this is an article and they can just

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<p>1 write the way they want, If I have a menu and I want 2 to misspell a word I can do that. 3 Q So people are free to pick the way that 4 they try to spell their words, right? 5 A If they want to misspell, that's their own 6 choice. 7 Q But you still can understand brazeiro here 8 even though they spelled it brazeiro, they put it 9 with a Z, you understand it to mean a pit full of 10 hot coal, right? 11 A The connotation here, since they explain that's 12 how it is, that's how I understand it. 13 Q And you don't understand the same when you 14 say the name of my client being Boi na Braza with a 15 Z, you don't understand that also to mean relating 16 to barbecue, churrascaria barbecue, principally 17 given the fact that it has churrascaria, that term? 18 A First of all, they set an ox inside of the fire 19 there. 20 Q They didn't place a brazeiro there, right? 21 A No, they put an ox. 22 Q So you understand Boi na Braza with a Z to 23 mean churrascaria-- 24 A When you say Boi na Braza in connection with a 5 Z--</p>	<p>1 Because they are not self-explanatory I 2 will ask you to explain to me what some of those 3 documents are. 4 MR. WALL: Are you going to identify them 5 by the Bates numbers? 6 Q When I am talking to you I will use TS and 7 I will reference the Bates number. 8 These numbers are not in order so we may 9 have to shuffle through them? 10 A Why are you using the TS? 11 Q In litigation when your counsel produces 12 documents to us the way that you keep track of what 13 documents were exchanged and what documents were 14 noticed is by this reference number, and this is the 15 reference number that your attorney created. The TS 16 is just for organizational purposes. 17 So I'm going to ask you about TS-311, it 18 has a July22, 1999 date. 19 It says it was for one hundred and eight 20 50/50 white t-shirts with one color front, one color 21 back, and for one three-by-five banner. 22 Do you remember that? 23 A Yes. 24 Q Why were those t-shirts ordered? 25 A To give out.</p>
39	41
<p>1 Q Are you asking me a question? 2 A Yes, I am. 3 You don't have to answer, you know. 4 But the right way in the Portuguese 5 language when you have an S with two vowels it 6 sounds like a Z. 7 Q Is there any exception to the rule? 8 A I don't know. 9 I learned that when I went to school and 10 then I say I saw the Boi na Brasa where it comes 11 from with an S. 12 (Short recess.) 13 Q Now we are going to switch gears a little 14 bit and talk about your advertising of Boi na Brasa, 15 I am going to give you a stack of papers, I am going 16 to represent to you that it is thirty-seven pages of 17 documents that were produced by your counsel. 18 They have Bates numbers here on the 19 bottom right corner. 20 I am mark this as P-11. 21 (Exhibit P-11, Thirty-Seven Documents 22 Stapled Together, marked for identification.) 23 Q Those were produced in response to our 4 document request for documents that reflect your 5 advertising efforts on behalf of Boi na Brasa,</p>	<p>1 Q To give out to customers of the 2 restaurant? 3 A Yes, to people, you know, I order t-shirts to 4 give to people in the summer. 5 Q To people who come to your restaurant? 6 A Yes. 7 Q What is the banner for? 8 A When we have street parties or festivals we 9 always order banners just to advertise the 10 restaurant. 11 Q And the street parties are in the summer- 12 time here, where are the street street parties? 13 A Before there used to be two street parties, 14 there was Brazilian and Portuguese days, but not 15 now, since last year things have changed because of 16 the budgets, so the Portugal street party doesn't 17 exist anymore. 18 And then I just make a party in my parking 19 lot right here. 20 Q Who is cutting the budget for the parties? 21 A The City is cutting the budgets for law 22 enforcement and for City cleaning as well. 23 Q Newark? 24 A Yes. 25 Q Then we have TS-312, and that says magnet</p>

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1 house calendar with red imprint and a three by six  
2 banner with logo.

3 That's from December 27, 1999.

4 This banner was for one of those parties  
5 you were talking about, or was this for something  
6 else?

7 A These are also from 1999 so I don't remember  
8 exactly.

9 I see here that the magnets are those  
10 magnets that you put on your refrigerator, and the  
11 calendars, New Year's calendars, are for the year to  
12 come, and also the banner is used for a New Year's  
13 party that I hold at my restaurant, which it is a  
14 tradition for Boi na Brasa to have these parties.

15 Q Where do you place the banners?

16 A Nowadays we place them in various strategic  
17 points in the City.

18 When we started to hold this party, it was  
19 actually a small party, it was actually a party  
20 among friends, but the last one that we had,  
21 actually had thirteen hundred people at the Robert  
22 Treat Hotel.

23 Q Where is that?

24 A In Newark.

5 Q And the magnet house calendars, do you

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1 give them to your clients when they leave for the  
2 New Year?

3 A No, this I give out at the restaurant when they  
4 pay. If they don't pay they don't get it.

5 Q TS-623, the sweat shirts with the logo  
6 front and back, they are also just sweat shirts that  
7 you give out?

8 A Yes, we give these at the restaurant and also  
9 in the streets to advertise, I like to use the sweat  
10 shirts because that's a shirt you wear ten times, it  
11 is much cheaper than an advertisement page in a  
12 newspaper.

13 Q When you say you give out in the streets,  
14 is that the street in front of your restaurant,  
15 where exactly is this distribution?

16 A We know a lot of people here in Newark and I  
17 know a lot of people who work in civil construction,  
18 so I see see this customer and I see he has five or  
19 six people working for him and I give it to him and  
20 he will just give them out to the others.

21 Q Now we are going to talk about TS-681, it  
22 is an invoice from from the Brazilian Voice  
23 Newspaper, and 683 is also the Brazilian Voice and  
24 so is 680, 682, 679.

5 All invoices are from the Brazilian Voice

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1 Newspaper.

2 Do you remember placing, did you  
3 customarily place adds in the Brazilian Voice  
4 Newspaper?

5 A I used to.

6 Q Why not anymore?

7 A For personal reasons.

8 The Press is better, I think their  
9 newspaper is better, because in this town we have  
10 two Brazilian newspapers, Brazilian Voice and  
11 Brazilian Press.

12 I advertise in Brazilian Press because I  
13 see that I get more business and I like Brazilian  
14 Press.

15 Q Are there any other newspapers that you  
16 advertise in in Newark?

17 A Not on a regular basis, whenever the  
18 opportunity arises we also use Luso Americano.

19 Q That's a community based newspaper as  
20 well, right, is it geared toward the Portuguese, I  
21 assume?

22 A It is written in Portuguese and then the same  
23 thing is written in English, and it goes wherever  
24 there is a Portuguese community in the country.

25 Q Where is that, do you know, besides

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1 Newark?

2 A Wherever there is a Portuguese community  
3 throughout the United States,.

4 Q And when did you first start to advertise  
5 in this newspaper, Luso Americano?

6 A I don't remember.

7 Q Have you checked your records to get the  
8 invoices for that newspaper? Because I don't see  
9 those invoices here.

10 A You know, there are a lot of papers, I have  
11 papers here for maybe five years, but a lot of  
12 things that are old I didn't file anymore.

13 Q When was the last time you advertised in  
14 Luso Americano?

15 A Last year I think.

16 Q So you must have records for that?

17 A One can call the newspaper and got the  
18 information.

19 Q I think we are entitled to get those  
20 records from you.

21 MR. WALL: We will get it.

22 Q And so you don't remember when you started  
23 to advertise in Luso Americano?

24 A It's not like it is advertised monthly or  
25 weekly, it is just once in a while, I have a person

<p style="text-align: right;">46</p> <p>1 who actually works there who I know, his name is 2 Orlando Norberto, and he advertises for me there and 3 sometimes he doesn't even charge me. 4 Sometimes he comes up to me and says, 5 well, you know, "Would you like to have maybe an 6 article in the newspaper, " or, "would you like to 7 advertise?" 8 Q Does Orlando Norberto operate here in 9 Newark? 10 A In Elizabeth. 11 Q New Jersey? 12 A Yes. 13 Q That's like the town next to Newark, 14 right? 15 A Yes. 16 Q Brazilian Voice Newspaper, do you remember 17 when you started to advertise with them? 18 A No. 19 Q I think the first one I have here is from 20 2000, I don't have anything up to 2000 and I don't 21 have anything after -- 22 A There were papers that were submitted to you 23 that showed we were already operating before they 24 opened. 25 Q Anything you have of advertisements</p>	<p style="text-align: right;">48</p> <p>1 A It wasn't like live soccer games or anything 2 like that, they were recorded, they were videotaped, 3 but the radio used to get live games from Brazil. 4 Q So Tiolindo also had a radio station? 5 A No. 6 Q You just could hear the audio, like the 7 audio from the Internet? 8 A We would enter the site, tiolindo.com, and then 9 you can see right away with banners and stuff like 10 that you could some Brazilian news from the 11 Brazilian newspapers and things like that. 12 Q And does this site still exist? 13 A I don't think it does. 14 Q And the first one you have in the record 15 is from 2000? 16 A Yes. That's when we joined them, in 2000, I 17 don't even know the date. 18 Q Fair enough. 19 Then we have TS-713, Listas Telefonicas 20 Brazil, USA. 21 It has a statement date of June 29, 2001 22 and it says: Listas Telefonicas Brasil USA, 123 Van 23 Buren Street, Third Floor, Newark, New Jersey," 24 right? 25 A Yes.</p>
<p style="text-align: right;">47</p> <p>1 between 1996 until now is relevant so you should 2 make sure to give it to your counsel. 3 A Okay. 4 Q So Brazilian Voice is also in Newark, the 5 community, the Brazilian community; do you know the 6 distribution for this newspaper? 7 A I don't know. 8 Q And what is Tiolindo News, is that Luso 9 Americano, is that a name for it? 10 Q Tiolindo has created a Website. It used 11 to be very popular at that time so we decided to do 12 a page on that Website. 13 Q Was it popular here in Newark, in the 14 community? 15 A Yes, it was. 16 Q Why is that? 17 A Because in those days Brazil wasn't very 18 popular here, it was not very common to find it 19 on TB and stuff like that, radio stations. 20 So in order for us to watch the soccer 21 games or whatever we would do everything through 22 this. 23 Q So is it some Brazilian guy that made 24 available those games and everything in Brazilian 25 for the community here?</p>	<p style="text-align: right;">49</p> <p>1 Q Do you know the person who runs this 2 business? 3 A Yes. 4 Q Is he a friend? 5 A My friend. 6 Q And when did you start advertising with 7 him? 8 A Well, the person who created this, the person 9 owns a newspaper nowadays called Brazilian Press. 10 And they offered me this Listas and I was 11 part of it. 12 And I think it lasted only one or two 13 years because I think they had a partnership with 14 other individuals and it didn't work out. 15 Q So it started around 2001, correct? 16 A I can't tell you how long it lasted, all I know 17 is that it was created on that date. 18 Q You started advertising around that date, 19 right? 20 A I started to advertise in 1996. 21 Q I understand that, but my question is 22 whether you started to advertise with this company 23 in 2001? 24 A Yes. 25 Q You don't know for sure but you think</p>

<p style="text-align: right;">50</p> <p>1 Listas Telefonicas only lasted two years? 2 A With this, yes, but there is another directory 3 called Guya Veige Amarelo. 4 Q Is that what TS-758 is? 5 A Yes. 6 Q What is the date? 7 A 2002. 8 Q So you started advertising with Verde 9 Amarelo in 2002? 10 A Yes. 11 Q Is there anything between 1996 and 1999, 12 July 1, 1999, between 1996 when you first started 13 Churrascaria Boi na Brasa, and July 1, 1999? 14 A When we started in 1996 we didn't have much 15 money, it's not like we have a lot today, but we 16 started to advertise in a cheaper way, which is word 17 of mouth, talking about it. 18 And then in 1997 we started advertising in 19 the newspapers and then we started to do the 20 t-shirts and also the match-boxes, which people 21 don't use that much now, but we have some of them, 22 and the magnets and caps. 23 Q So the newspapers was in 1977, right? 24 A Yes. 5 Q What were the newspapers?</p>	<p style="text-align: right;">52</p> <p>1 called Coisa Nossa, which is still there to this 2 day. 3 And in those days they used to sell 4 newspapers, they used to send newspapers outside of 5 the state because in those days only Newark was 6 issuing newspapers. 7 Q The newspapers are like the Brazilian 8 newspapers that you can buy, like the traditional 9 Brazilian newspapers, you were actually able to 10 obtain them in this Brazilian Mall? 11 A Yes. 12 Q So you didn't advertise in the Global 13 Journal de Brazil or anything like that? 14 A No, you made some sort of mistake. 15 Q I did not want to make a mistake but I 16 want to make it clear for the record that the 17 newspapers you are talking about are not the same as 18 the Brazilian Press? 19 A No, no, no, I'm going to explain to you so you 20 can explain to her. 21 Let's say newspapers from Brazil, Estago de 22 San Paulo, I would place my flyers inside these 23 newspapers, and those newspapers were distributed to 24 families, people who would read them once a week and 25 they can see my name there, Boi na Brasa.</p>
<p style="text-align: right;">51</p> <p>1 A The Brazilian Press. 2 Q And that's TS-717 3 A Yes. 4 Q And you started that in 1997? 5 A Yes, when the newspaper was created. 6 Q The newspaper was created in 1997 as well? 7 A Yes. 8 Q And this is also the owner of 9 (inaudible)? 10 A That directory no longer exists, now they have 11 advertising in a newspaper that has a new directory 12 and they have already invited me to join. 13 Q When the newspaper started do you remember 14 what was the circulation of the newspaper? 15 A I don't remember. 16 Q But you think it was just for the 17 community here, right? 18 A Possibly. 19 Q In 1996, flyers and word of mouth, the 20 flyers you distributed with handouts in the street? 21 A No. 22 Q Where did you distribute them? 23 A Where we are located now at 70 Adams, that used 24 to be known as the Brazilian Shopping Mall, there 25 was a hair salon, a jewelry store, and also a store</p>	<p style="text-align: right;">53</p> <p>1 Q Did you get authorization from the 2 newspapers in Brazil in order to make them as your 3 vehicle? 4 A No, because the person would bring it to Fed-Ex 5 or whatever would put an envelope, a separate 6 envelope inside, it would go with it inside. 7 Q So it wouldn't be inside of the newspaper, 8 it would be together? 9 A No, no, no. 10 Q The distribution of the newspapers was 11 done through Fed-Ex, or U.S. Mail? 12 A I don't know how they would deliver it. 13 Q Because that would have been really 14 costly if you were Fed-Ex-ing the newspaper to 15 somebody's house, correct? 16 A I pay eighty dollars to get Chimarrao from 17 Brazil and I don't complain, I pay the price. 18 In those days there was no Internet, 19 things weren't the same. 20 Q Who ran this newspaper business? 21 A The person has left for Brazil. 22 Q Was this like a daily, or Sunday, 23 newspaper? 24 A I can't, you know, it's not going to help you 25 asking me questions this way because it wasn't</p>



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1 regular, it is not the way it worked.  
2 It was once in a while, it wasn't weekly  
3 or biweekly or anything like that, once a month  
4 sometimes.  
5 The advertisement was usually mostly here.  
6 Q The Brazilian Press, you said when they  
7 first started in 1997 you were probably one of the  
8 first customers, right?  
9 A Yes.  
10 Q And you don't know exactly when they first  
11 started, you don't know exactly what the circulation  
12 was?  
13 A I don't remember. It's easy to get, you just  
14 ask initially what was the circulation.  
15 Q Did you buy this newspaper, or did you get  
16 it for free?  
17 A For free.  
18 Q It's for free?  
19 A It's for free.  
20 Q So the newspaper's business is based on  
21 the advertisements, the local advertisements, right?  
22 A Yes.  
23 MR. WALL: I don't know if he is an  
24 expert on their business models.  
5 MS. DUBOWY: I think it's a fair question,

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1 he is a personal friend of the owner. He started  
2 advertising in the newspaper at the same time that  
3 his friend created the newspaper.  
4 He may have some knowledge and I would  
5 like to inquire about that.  
6 MR. WALL: But you are asking him to say  
7 what did the owner of the paper tell him the  
8 circulation was of the paper.  
9 MS. DUBOWY: I wasn't asking about the  
10 circulation, I was asking about the kind of  
11 advertisements and whether the types of advertising  
12 were mostly from the region.  
13 MR. WALL: Having read the paper, having  
14 looked at the ads in the paper, did he notice if the  
15 ads were local or non-local?  
16 Q As to the Brazilian Press, by reading  
17 them do you recognize that most of the advertisement  
18 is done by the Brazilian businesses here in Newark?  
19 A Mostly, yes.  
20 Q Can you think of any that were not that  
21 you just remember from your recollection?  
22 A I don't remember. All I know is that they had  
23 the same newspaper also in Florida.  
24 Q But it is not the same manager, right?  
5 Have you placed an advertisement in the

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1 Florida newspaper?  
2 A No, the newspaper owner told me that the  
3 newspaper was going out to Florida and that there  
4 are people working there already.  
5 Q When the newspaper goes to Florida, do you  
6 know when you buy an ad here in Newark for the  
7 newspaper here is that ad published in Florida, or  
8 the Florida community has their own ads?  
9 A Possibly it's the same ad in Florida as well.  
10 Q And you think that it's being, this free  
11 newspaper that is supported by advertisements only  
12 from mostly, as you say, Newark businesses which is  
13 being shipped to Florida just to be like advertising  
14 Newark businesses in Florida; can you explain that?  
15 A This is a question you have to ask of the  
16 owner.  
17 Q And Guya Veige Amarelo is something --  
18 this is not by the Brazilian Press, right?  
19 A No.  
20 Q That started in 2002?  
21 A No, it started before.  
22 (Pause.)  
23 A In 2002, yes.  
24 Q Do you still advertise with them, or no?  
25 A Up until last year, yes.

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1 Q But this year you haven't?  
2 A No, not this year.  
3 Q We are only in March, you may still do it?  
4 A Something happened, actually what happens is  
5 that when I announced in the street festivals here,  
6 I offered an exchange with her and she accepted it,  
7 so I printed out her banner and I put her banner on  
8 the street festival, and when I called her to settle  
9 things she never called me back, so I said, "Well, I  
10 did it for her but she never did it for me," I am  
11 not going to do it for her anymore.  
12 Q So you don't advertise with her anymore?  
13 A I'm not going to say that, I'll just say I  
14 stopped for a while.  
15 Q Then we have TC-440, those key-rings?  
16 A Yes.  
17 Q And do you sell them, or do you distribute  
18 them?  
19 A No, it is free.  
20 Q Where do you give them out for free?  
21 A Clients.  
22 Q To customers who come here?  
23 A Yes.  
24 Q And then we have the ski hats embroidered  
25 only, that's TS-170?

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1 A Yes.  
2 Q And those are also distributed for the  
3 customers who come here?  
4 A Yes.  
5 I can give you one if you want.  
6 Q They you have TS-1018, sign coroplast  
7 three by four with Boi na Brasa and Casa Nova logo  
8 (parking) with installation; what is that?  
9 A I'll explain it to you.  
10 At the Adams Street parking lot there is a  
11 person who helps out with the parking of the cars,  
12 so I made -- I built a little cabin for him so that  
13 he is not cold during the winter and I placed our  
14 banner outside together with Casa Nova's together,  
15 and I placed the Boi na Brasa sign, I pasted it to  
16 the little cubicle, cabin, it is still there.  
17 Q So this parking lot is for the people who  
18 go shop on Adams Street, right?  
19 A Yes.  
20 Q Is that like a city parking lot, or is  
21 that like a private parking lot?  
22 A Private.  
23 Q And then we have TS-171, February 24, 2003  
24 1,000 magnet calendars.  
25 And that's the case because you can see

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1 that's after the end of the year, is that the ones  
2 that you distribute in the New Years' party?  
3 A Sometimes it is later, you know, it might be  
4 off a little bit.  
5 Q They might have delivered it but issued  
6 this later?  
7 A No, I am talking about the magnets, the dates  
8 when the magnets were made.  
9 I was trying to make them at the beginning  
10 of the year.  
11 Q For the distribution to the customers that  
12 you have, right?  
13 A Yes.  
14 Q Then you have some more, you have  
15 twenty-one aprons with one color Boi na Brasa logo,  
16 was this also to distribute to your friends?  
17 A That's more inside the restaurant when we have  
18 a party in the house, in the restaurant, so that  
19 everybody looks the same, they all wear it.  
20 Q For the parties in the restaurant?  
21 A For everything.  
22 Q Can you explain?  
23 A If a person is actually making the barbecue he  
24 will wear the apron.  
25 Q So it is not really-- it is advertisement

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1 in the sense that your employee has the logo but it  
2 is really like a uniform?  
3 A Yes.  
4 Q Then we have one banner four by six with  
5 sponsors, two coroplast boxes (Confianza Moving),  
6 one banner four by twelve (Boi na Brasa), sixty  
7 t-shirts with one color on back and one color on  
8 front (Boi na Brasa), sixty same as above (Casa  
9 Nova), one set-up charge?  
10 A Yes.  
11 Q Please explain what that is for?  
12 A This is a festival that's, as I told you  
13 before, Portugal Day which happens in June and those  
14 coroplast boxes for moving.  
15 Q Why do they call it coroplast boxes?  
16 A Confianza (phonetic) ships boxes to Brazil, so  
17 we created, designed a box with the logo and also I  
18 placed some lighting inside so that it can light up  
19 at night, which is a way of advertising.  
20 Q And you paid for the advertising?  
21 A Because they paid me for the space.  
22 Q For your shipping something to Brazil?  
23 A No, I advertised for them because they send me  
24 a lot of customers, stuff like that.  
25 Q So coroplast boxes, I still don't

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1 understand; is it like a big box?  
2 A Do you know anything about these boxes, when  
3 you want to ship things regularly to Brazil, they  
4 charge an average of \$100 per box to ship to Brazil,  
5 used clothing and stuff like that.  
6 So they wanted to advertise this box so I  
7 designed the box.  
8 Q So this is not a Boi na Brasa  
9 advertisement then, coroplast is advertisement of  
10 Confianza?  
11 A Yes, for Confianza.  
12 MR. WALL: Your name is not on the box?  
13 THE WITNESS: My name is not on the box.  
14 I am relaxed here because I am telling the  
15 truth. That's what it is.  
16 Q That's all we need.  
17 And then we have TS-1033.  
18 Can you understand the handwriting there?  
19 A Place mats.  
20 Q And 10,000 of them?  
21 A Yes 10,000 at that time, now I do 20,000.  
22 Q That's like paper ones, right?  
23 A You place them under the plate like this with  
24 the company logo.  
25 Q So this is for the waiters when they get a

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1 new customer, he doesn't need to change the cloth,  
2 he only replaces the the paper?  
3 A He replaces everything every time a new  
4 customer sits down.  
5 Q So the place mat is just to like prevent  
6 it from like staining?  
7 A And to advertise.  
8 Q And to advertise?  
9 A Yes.  
10 Q In the restaurant?  
11 A Yes, that, and I provide it also when I hold  
12 outside parties.  
13 Q Do you hold outside parties?  
14 A Yes.  
15 Q Do you do that as a business, or is that  
16 like your personal parties?  
17 A No, what I do, here they call catering.  
18 Q When did you start doing catering?  
19 A The first one was in 1998 or 1999.  
20 Q Do you know exactly when in 1998 or 1999?  
21 A I think you have the file of papers.  
22 (Pause.)  
23 MS. DUBOWY: Let the record reflect he is  
24 talking to his attorney.  
5 MR. WALL: Are you saying I have a receipt

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1 from the hotel in Atlantic City?  
2 THE WITNESS: A small agreement.  
3 MS. DUBOWY: I would like to see that  
4 contract.  
5 THE WITNESS: I think they had sent that  
6 to you.  
7 Q Was that in the Taj Mahal?  
8 A Yes.  
9 Q Do you know someone at the Taj Mahal?  
10 A No, somebody had called, a Brazilian guy  
11 called, there was a group of Brazilians who wanted  
12 to eat there.  
13 Q A Brazilian guy called you in the  
14 restaurant and he said, "I would like you to", -- it  
15 was more like delivery?  
16 A No, we went all prepared to do a barbecue right  
17 there.  
18 Q On the site?  
19 A The difference is that they didn't want us to  
20 actually cut the meat on the table, so we had to  
21 pre-cut them and bring pieces to the table.  
22 Q But you cooked it?  
23 A There.  
24 Q Did you have to get an authorization from  
25 the hotel to do that?

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1 A No, we had no problem, we got there ready to  
2 go.  
3 Q So the person who hired you, the Brazilian  
4 guy probably had to talk to somebody in the hotel to  
5 let this happen, correct?  
6 A Possibly.  
7 Q Did you have other dealings with the hotel  
8 yourself, or was it just done through the Brazilian  
9 guy?  
10 A No, the guy was the one who organized  
11 everything for us.  
12 Q And after that you haven't done catering  
13 since then?  
14 A Not in Atlantic City.  
15 Q Did you do it anywhere else?  
16 A Yes.  
17 Q Where?  
18 A I had it in Wildwood, it was a hotel called,  
19 what do they call it? I don't remember.  
20 Q When was that?  
21 A We catered to this hotel three years in a row.  
22 Q When was the first time, was that before,  
23 or after, Taj Mahal?  
24 A After.  
25 Q How long after?

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1 A I don't remember, but it was the following year  
2 or two years after, three years after, something  
3 like that.  
4 Q Do you have any records about this as  
5 well?  
6 A These parties were paid in cash so I don't have  
7 any checks or anything.  
8 Q How many of those did you have?  
9 A There, three.  
10 Q And was it with the same guy who organized  
11 the Taj Mahal?  
12 A No.  
13 Q How did you find out about that  
14 opportunity?  
15 A Someone who used to come eat at the restaurant  
16 asked if I could do the catering for the party and I  
17 said yes.  
18 Q So it is kind of similar to the one at the  
19 Taj Mahal, someone came to your restaurant and liked  
20 your food and asked you to cater it, right?  
21 A Yes, I think so.  
22 Q Do you still keep in touch with that  
23 person?  
24 A The name of the hotel is Madrid Hotel and it  
25 has been sold a little while ago so it no longer

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1 exists.

2 The hotel owner, her name was Linda. She  
3 went to visit Brazil, Rio de Janeiro, she went to  
4 these Samba groups and she liked it very much, and  
5 that's how she contacted us.

6 Q So she went to the restaurant after she  
7 already knew of Brazil?

8 A No, one of our friends who is a regular at the  
9 restaurant ended up going to her hotel and they  
10 started to talk, he started to tell her that he knew  
11 a lot of lot of Brazilian things in Newark,  
12 Brazilian restaurants, and that there was a  
13 restaurant where they were regulars which was Boi na  
14 Brasa, and that whenever she wanted we could do  
15 something for her here.

16 Q So that was around, probably, you said the  
17 Taj Mahal was around 1998 and 1999, and then this  
18 one was probably when?

19 A I think Taj Mahal was 1997.

20 Q At first your testimony was that it was  
21 probably late 1998 to 1999.

22 A We are talking about twelve years ago, the  
23 date.

24 Q But you have the contract, right, you have  
5 some documents that has the exact date?

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1 A I have one contract, I think I gave it to my  
2 attorney, I'm not sure, this is the only evidence  
3 that we have.

4 Q But the catering is after the Taj Mahal,  
5 the Madrid Hotel catering was afterward?

6 A It was afterwards, yes.

7 Q Was there any advertisement between 1996  
8 and 1999? I'm going back but I just want to go over  
9 this. Village Press, Brazilian Voice, banners,  
10 flyers, was there anything else that you remember?

11 A Tilindo--

12 MS. DUBOWY: I think I misspoke, I said  
13 Village Voice but I meant to say Brazilian Voice.

14 Q Did you ever advertise in the Village  
15 Voice, do you know what the Village Voice is?

16 A No.

17 Q So this was everything, right, Tiolindo?

18 A There were other newspapers that we advertised  
19 in such as Brazilian Times, but not much.

20 Q These are all community newspapers?

21 A What do you mean by "community"?

22 Q The Newark Brazilian community.

23 A No, these are New York as well as other states.

24 Q And how do you know this?

25 A It is in newspapers where they each go.

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1 Q We would be interested in obtaining copies  
2 of those newspapers besides those that you have  
3 already produced.

4 A I don't have them.

5 Q You don't have any copies of those?

6 A No.

7 Q Not even invoices?

8 A No.

9 Q So it is just you telling us?

10 A Yes.

11 Q If you can tell us the names of the  
12 newspapers perhaps we can --

13 A But I have already told you the names.

14 Q Brazilian Voice, Brazilian Times,  
15 Brazilian Press and Luso Americano; were those the  
16 only four?

17 A What date?

18 Q Between July 1, 1996 and July 1, 1999?

19 A Yes.

20 Q After July 1st, 1999, was there anything  
21 besides those, was there anything else? I'm talking  
22 only about new newspapers?

23 A The Star-Ledger.

24 Q The Star-Ledger?

25 A Yes.

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1 Q What is that?

2 A Star-Ledger is a newspaper from Newark.

3 Q It's a New Jersey newspaper?

4 A Yes.

5 MR. WALL: It's one I get at my house. I  
6 was just reading it this morning.

7 A I have it right in front.

8 (Short recess.)

9 Q So it's the Star-Ledger?

10 A The daily News.

11 Q The Star-Ledger, when was the first time  
12 that you advertised with the Star-Ledger?

13 A Star-Ledger?

14 Q Yes.

15 A I don't remember the date. We have the copies  
16 here.

17 Q Sometime in 2000?

18 A Later than 2000.

19 Q How about The Daily News, when did you  
20 first start advertising in The Daily News?

21 A Daily News, this year.

22 Q 2008?

23 A Yes.

24 Q This is a continuing request: I would  
25 like everything everything produced, just like that

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<p>1 which you have produced, just keep sending them to 2 us. 3 A Comcast Cable. 4 Q Daily News 2008 and then Comcast Cable? 5 A Yes. 6 Q In? 7 A 2007. 8 Q The first time, was that the first time 9 that you advertised on cable television? 10 A U.S. TV station, first time. 11 Q What TV station did you advertise on? 12 A Global News, 596 channel on the Dish Network. 13 Q The first time you advertised in 14 television was in 2007. You did a Comcast Cable 15 placed at Global News, correct? 16 A No. 17 Q Please explain to me when you first 18 advertised on cable television? 19 A In 2000, I can't tell you exactly if it was 20 2000, I have to look at the dates on the invoice. 21 Q Do you have the invoice? 22 A I can get it for you. 23 On Dish Network, Channel 596, Global. 24 Q In what year was that? 25 A I'm sorry, I don't know exactly.</p>	<p>1 2003 when TV was created here, when the station was 2 created. 3 Q I think the first one we have is 2003. Was 4 there anything in 2007 that you advertised on cable? 5 A 2007 I did. 6 Q And where? 7 A Comcast Cable. 8 Q Is Comcast Cable different from Global 9 International? 10 A Yes. 11 Q What is Comcast Cable? 12 A Comcast Cable provides cable services. 13 Q How does your advertising reach the person 14 who is watching TV through Comcast Cable, is that a 15 channel, or is that-- 16 A Comcast Cable is a company such as Cablevision, 17 you also have Comcast Cable. 18 And then I have the channel, CNN. 19 Q But when you make an agreement with 20 Comcast Cable does your agreement include on what 21 channels on Comcast Cable the advertising will be 22 placed with? 23 A Yes. 24 Q What channels were these? 25 A CNN, Food Network, and two more I wrote down</p>
71	73
<p>1 Q Approximately? 2 A 2000. 3 Q Around 2000? 4 A Yes, when they started to have Brazilian TV 5 here. 6 Q When you say "here " you are talking about 7 where? 8 A In the country, Global, it reaches everywhere. 9 Q The advertising that was placed in 2000 10 went everywhere? 11 A Yes. 12 Q You are going to give us the first 13 invoice-- the invoice I have here for Global News, 14 it is not 2000, it's 2004. 15 Does that refresh your recollection? 16 A Yes. 17 Q So that was the first time in 2004? 18 A It could have been before. I am not sure, I 19 would have to ask someone. 20 Q All right. 21 A I can ask because I don't know how long 22 Brazilian TV has been around here. 23 Q There is one here for TV Global 24 International for 2003, do you think that's-- 25 A I can't remember exactly, I think it was 2002,</p>	<p>1 somewhere but I don't remember the name -- ESPN and 2 another one as well. 3 Q Are those advertisements on those channels 4 something that was distributed to the whole United 5 States, or only here in Newark? 6 A I am just talking about this area in general, 7 here in Newark, it goes out to Manhattan, Staten 8 Island, I can't tell you from the top of my head, I 9 would have to look at the paper. 10 Q It would be very important that you 11 provide us with the exact contracts with the dates 12 and where it was circulated and how many times. 13 The first time you did a contract with 14 Comcast Cable was in 2007, it was not before? 15 A Nothing before. 16 Q Do you remember when in 2007? 17 A If I had the paper to show you-- 18 Q Do you have it here? 19 (Pause.) 20 (An informal discussion was had off the 21 record.) 22 MS. DUBOWY: Let the record reflect that 23 the deponent brought in some documents that we 24 haven't seen before. 25 (Pause.)</p>

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1 Q I'm going to ask you the question again  
2 and perhaps you can answer the question using one of  
3 the documents?  
4 A Okay.  
5 Q So when was first time you contracted with  
6 Comcast specifically?  
7 A October 15, 2007.  
8 Q And do you have the contract with you, is  
9 the contract with the Comcast part of the documents  
10 that you have brought to the table?  
11 A Yes.  
12 MS. DUBOWY: I am going to ask for some  
13 time later on in the deposition to review the  
14 documents.  
15 I am going to go back to the documents  
16 that we have.  
17 So TV Global, you are going to give me  
18 anything that you have before 2003, the first one I  
19 have is 2003.  
20 And then we need the contract, what was  
21 the circulation, what was the publication, for lack  
22 of a better word, of TV Global in the United States.  
23 (Pause.)  
24 Q What kind of advertisements -- first of  
5 all, have you done any advertising in New York City?

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1 A Global TV reaches New York as well.  
2 Q How about publications, how about  
3 newspapers, any newspapers?  
4 A The Star-Ledger.  
5 Q The Star-Ledger?  
6 A Yes they had an article about us, Boi na Brasa.  
7 Q When you talk about advertisements in the  
8 Star-Ledger, in this newspaper, are you talking  
9 about paid advertisements, or are you talking about  
10 articles?  
11 A No, the Star-Ledger had an article about us  
12 that they did because they have a group of people  
13 who come to restaurants to eat there and write about  
14 them without our knowledge.  
15 Q So you didn't pay for the --  
16 A No.  
17 Q -- for the insertion of your name in the  
18 Star-Ledger newspaper?  
19 A No.  
20 Q And when was this newspaper article  
21 published?  
22 A One second.  
23 Last year. We also had paid  
24 advertisements in the Star-Ledger.  
25 Q Was that the first time you had paid

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1 advertisements in the Star-Ledger?  
2 A I believe so, yes.  
3 Q Do you remember when?  
4 A I couldn't tell you for sure but I have  
5 documents.  
6 Q When was the article when the Star-Ledger  
7 came to review your restaurant?  
8 A It was in 2002.  
9 Q Can you also provide that?  
10 A I think I have sent this to you.  
11 Q Do you have any invoices for 2007 that we  
12 can look?  
13 A Where?  
14 Q The Star-Ledger invoices for paid  
15 advertising in 2007?  
16 A I'm not sure, but we can get that.  
17 Q So New York, the Star-Ledger insertion,  
18 the times -- the newspapers that reach New York  
19 according to your testimony are the Star-Ledger in  
20 2007, paid advertisement, and the Star-Ledger, the  
21 Star-Ledger in 2002 is the restaurant review?  
22 A Correct.  
23 Q Anything else as far as newspapers, print  
24 advertising?  
25 A Brazilian Times, there is a newspaper in New

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1 York called Brazilian Times.  
2 Q Is that the newspaper that you referred to  
3 before?  
4 A No, you asked the question if there were any  
5 other things in New York newspapers, specifically  
6 New York, correct?  
7 Q Yes.  
8 A The Star-Ledger, 2008 also I advertised in the  
9 Daily News, and I also paid for something to be done  
10 in the Brazilian Times, but it has been a while, I  
11 don't remember.  
12 Q Is Brazilian Times, is that only  
13 circulated in New York, or does Brazilian Times  
14 also come out to Newark?  
15 A The newspaper is from New York but some of it  
16 gets here as well.  
17 Q And the Star-Ledger, is that, do you know  
18 where the headquarters of this newspaper is?  
19 A No.  
20 Q Do you think it is specifically a New York  
21 newspaper?  
22 A No, but it is a very popular newspaper.  
23 Q Where is it popular?  
24 (Pause.)  
25 MR. WALL: We don't have page 1.

<p>78</p> <p>1 MS. DUBOWY: We would be interested in 2 learning more about the Star-Ledger newspaper 3 circulation in 2002 and whatever you have after 4 that. 5 MR. WALL: Off the record. 6 (An informal discussion was had off the 7 record.) 8 Q As I understand it the Website for the 9 Star-Ledger is nj.com? 10 A Yes. 11 Q Is that like newjersey.com? 12 A Correct. 13 Q So do you think that the Star-Ledger 14 newspaper is a New Jersey newspaper? 15 A I don't know. 16 Q What else in New York besides Global 17 International, Brazilian Times -- When was Brazilian 18 Times, by the way? 19 A Brazilian Times, I told you it's been a long 20 time, I don't remember. 21 Q Is it before, or after, July 1, 1999? 22 A After. 23 Q Well, if you have that, any kind of 24 invoice, it would be very helpful. 5 So Brazilian Times sometime after July 1,</p>	<p>80</p> <p>1 A Correct. 2 Q From October 15, 2007 to January 13, 2008? 3 A We have more, we have to March. 4 Q So when did you first start advertising in 5 New York? 6 A TV, or newspaper? 7 Q Anything. 8 A 2003. 9 Q And you advertised after January 11, 2007, 10 like this document you just handed to me now, it 11 says October 15, 2007, you were advertising 12 according to you, did this advertisement reach New 13 York? 14 A I did not understand your question. Would you 15 repeat it? 16 (The pending question was read back by the 17 court reporter.) 18 Q I will restate the question. 19 So you advertised after January 11, 2007, 20 in New York? 21 A What kind of advertisement, in a newspaper? 22 Q Anything. 23 A Before-- 24 Q I am asking the question whether you have 25 advertised after January 11, 2007?</p>
<p>79</p> <p>1 1999, the Star-Ledger in 2002, like a restaurant 2 review, and then in 2007 you actually paid for 3 advertisement in the Star-Ledger? 4 A Correct. 5 Q Any other print publications, print 6 advertising? 7 A From the top of my head right now, I don't 8 think so. 9 Q How about in the greater region of New 10 York, newspapers, any print advertisement? 11 A No. 12 Q What did you have that was not printed? 13 A TV such as CNN and 12-NEWS 14 Q And the first one sometime in 2000 15 --well, we don't know yet-- 16 Q Global International was in 2003 or maybe 17 the year before, I am not sure. 18 Q You are going to produce that to your 19 counsel? 20 A If I have it I will submit it. 21 Q Any other cable or television ads or 22 radio? 23 A Television, Global, Comcast, Spotlight, CNN, 24 Fox, Food Network. 5 Q And that was the first time, right?</p>	<p>81</p> <p>1 A Yes. 2 Q What other activities have you done in New 3 York, not necessarily advertising, have you done any 4 kind of events in New York, what exactly have you 5 done in New York, like catering? 6 A The large Brazilian party that they have on 7 46th Street in New York. 8 Q What did you do there? 9 A Gave out flyers and t-shirts as well. 10 Q Since when have you been doing this? 11 A I only did this for two years. 12 Q Which years were these? 13 A We did it in 2005 or 6, I think 2005 and 2006. 14 Q And you haven't done it since then? 15 A No. 16 Q Why not? 17 A We just decided to stop it. It wasn't 18 profitable, it was not the kind of people -- 19 actually, because this always happens on a Sunday 20 which is a busy day for us here, there is a lot of 21 work here for us. 22 So I stopped doing it and I decided 23 instead to just take care of my restaurant here. 24 (Short recess.) 25 MS. DUBOWY: We are back on the record.</p>

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1 I am going to now mark Exhibit P-12.  
2 (Exhibit P-12, Menu, marked for  
3 identification.)  
4 Q Is P-12 the current menu from Churrascaria  
5 Boi na Brasa?  
6 A No.  
7 Q How can you tell?  
8 A More options.  
9 Q Do you have an approximate date of when  
10 this menu was in effect in your restaurant?  
11 A No.  
12 Q This document was produced by you to us.  
13 When this document was produced by you to us what  
14 was the purpose, do you remember?  
15 A Of course, it is to show that we do have a  
16 restaurant, this is the logo for the restaurant and  
17 this is the address and also for the phone number  
18 which is the phone number we have been using since  
19 1996 until now, it has not been disconnected.  
20 MR. WALL: As to why it was produced, he  
21 may not be privy to why we produced it. I produced  
22 it.  
23 MS. DUBOWY: That's all right.  
24 I just wanted to ask since it's something  
5 that I didn't understand what was the purpose.

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1 Q The telephone number that you say has been  
2 the same telephone number since 1996, under whose  
3 name is that in, is that under your personal name?  
4 A My name and the company's name.  
5 Q But this particular--so one is under your  
6 name and the other one is under the company's name?  
7 A No, it is my name.  
8 Q Under your personal name, so if you go to  
9 this telephone number in the directory, it is under  
10 Farid Saleh, not Terra Sul Corporation?  
11 A Churrascaria Boi na Brasa.  
12 Q Is that in the telephone book?  
13 A I have never looked at the telephone directory.  
14 Q If you have any telephone books from 1996  
15 I would be interested in seeing them.  
16 A I don't have it.  
17 MS.DUBOWY: Then we have a document here  
18 that was produced that is very hard to read and I am  
19 going to market it P-13.  
20 (Exhibit P-13, Advertisement, marked for  
21 identification.)  
22 Q What is this?  
23 A That's the Portugal festival that I told you  
24 about.  
25 Q And when was that?

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1 A June 9 and 10.  
2 Q What year?  
3 (Pause.)  
4 A 2003.  
5 Q Now I'm going to ask you about this  
6 picture, those pictures here, they were produced by  
7 your attorney, TS-730, TS-731, TS-732.  
8 (Exhibit P-14, Three Sheets with Copies of  
9 Photos, marked for identification.)  
10  
11 Q They were produced by your counsel.  
12 Do you know what these pictures are and  
13 when they taken?  
14 A They are street festivals, it is possibly the  
15 Portugal festival.  
16 There are two festivals throughout the  
17 year here, one is the Brazil festival and the other  
18 one is the Portugal festival.  
19 Q Do you have an approximate date for this?  
20 A I have always done these festivals on a yearly  
21 basis as of 1999 and thereafter.  
22 Q You started with the Portuguese festival  
23 in 1999?  
24 A No, I started to take part in those on my own  
25 when I didn't own a restaurant yet.

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1 Q When did you start doing the Portugal  
2 festival for advertisement?  
3 A 1997.  
4 Q You just said a minute ago that you  
5 started doing those in 1999?  
6 A In 1997, but I was still very small.  
7 Q When you saw "small " what exactly do you  
8 mean?  
9 A I didn't have a stage with bands and stuff like  
10 that but a little barbecue.  
11 Q So you did it for free?  
12 A No.  
13 Q So you had like a stand?  
14 A Yes.  
15 Q And people would come and pay money and  
16 you get --  
17 A Yes.  
18 Q So it wasn't exactly advertisement?  
19 A I would place a banner.  
20 Q Did you place the banner in your stand, is  
21 that where you placed the banner?  
22 A Yes.  
23 Q To identify that that was your stand,  
24 correct?  
25 A Yes.



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1 And then I started to get the whole street  
2 for myself and stuff like that.  
3 Q What do you mean that you started to get  
4 the whole street by yourself?  
5 A I would represent both sides, I would place a  
6 stage in the middle with music, bands, like music  
7 bands, a DJ, and I would then advertise Boi na Brasa  
8 as well as other companies.  
9 Q But did you run the stage, or did someone  
10 else run the stage?  
11 A No, I would set up everything.  
12 Q And you advertised for other companies as  
13 well?  
14 A Yes, they would help out with cost, it is a  
15 costly thing.  
16 MS. DUBOWY: I'm going to now mark P-15.  
17 (Exhibit P-15, Trademark/Service Mark  
18 Application, marked for identification.)  
19 Q Would you look at the second page of this  
20 document?  
21 A Yes.  
22 Q Did you prepare this document by yourself,  
23 or did you have someone help you prepare it?  
24 A I only signed this document.  
5 Q Do you remember why you were asked to sign

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1 this document?  
2 A When we trying to register the name and find  
3 out how to register the name throughout the whole  
4 country.  
5 Q When you say "we" who are you referring  
6 to?  
7 A Myself, me and this person here who used to be  
8 a customer at the restaurant who said he used to  
9 know people, but it ended up not working out.  
10 Q This looks like Miguel F. Desousa, is that  
11 the name of the friend?  
12 A Yes.  
13 Q Miguel helped you fill out this form?  
14 A Yes.  
15 Q Did Miguel explain to you what this form  
16 was?  
17 A I told him that I had the intention of doing  
18 that kind of business and he explained to me how I  
19 could do it.  
20 Q When you say "that kind of business" what  
21 do you mean by that?  
22 A My business, my Boi na Brasa.  
23 Q So this document here was to make,  
24 register, to register the business, or was this to  
25 register the mark?

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1 MR. WALL: Off the record.  
2 (An off the record discussion was had off  
3 the record.)  
4 Q So Miguel Desousa, is he still around in  
5 this area?  
6 A I never saw him again.  
7 Q Did you pay him to help you with this?  
8 A He actually wanted to open a notery kind of  
9 office and stuff like that, and I helped him out. I  
10 paid for putting a carpet for him, but it didn't  
11 work out so he didn't stay for a long time.  
12 Q Do you remember why it didn't work out  
13 when you filed this document?  
14 A We filed it, I was thinking it would take a  
15 while, and then a couple of months, two to three  
16 months, he just disappeared, he left.  
17 Q Do you remember when you signed it?  
18 (Pause.)  
19 Q If you go down, do you see the last line  
20 on TS-763, it says 3/21/02; does that refresh your  
21 recollection as to when you signed this document?  
22 A No.  
23 Q Do you think it might have been in 2002,  
24 March 21, 2002?  
25 A It could be.

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1 Q But you don't remember?  
2 A I don't remember.  
3 Q After you signed this did you hand this to  
4 Miguel?  
5 A I give it to Miguel as well as the money order,  
6 I gave him everything together, the money order and  
7 this for him to file with the Trademark Office.  
8 A Yes.  
9 Q Do you know whether this document was  
10 actually filed with the Trademark Office?  
11 A Now I found out that it might not have been  
12 filed because I got a letter from them stating that  
13 they were the ones who have filed it, her lawyer.  
14 Q When you say "they" you are talking about  
15 Boi na Braza with a Z, right?  
16 A Yes.  
17 Q Can you tell us why, if you know, there is  
18 no record in the Trademark Office about this  
19 application?  
20 A I don't know.  
21 Q Do you fly a lot?  
22 A Me?  
23 Q Yes.  
24 A I didn't travel for fifteen years and now  
25 lately I go to Brazil three or four times, I think

Terra Sul Corp. v. Boi Na Braza Inc.  
Farid Saleh

24 (Pages 90 to 93)

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1 once earlier and then once another year, I went  
2 from here to the Caribbean about twice or so, but  
3 that's it.  
4 Q The American part of the Caribbean, or  
5 were you able to go outside of the United States?  
6 A I don't understand your question.  
7 Q When you say that you travelled to the  
8 Caribbean, did you travel to the Caribbean in the  
9 U.S. territory?  
10 A Dominican Republic.  
11 Q When was that?  
12 A Whenever I have time to travel I travel, I  
13 don't know.  
14 Q And you fly, what is the airline you  
15 generally fly, do you have a preferred airline?  
16 A Mexicana, whichever has the best flights.  
17 Q Do you work generally inside, are you  
18 generally present in the restaurant at 70 Adams  
19 Street; are you generally at the location?  
20 A In both, back and forth.  
21 Q So you work every day?  
22 A Yes. I do everything that needs to be done.  
23 Q During the years that you have been  
24 working in the restaurant have you ever heard any  
5 customers mentioning about Boi na Braza in Atlanta

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1 that you said today?  
2 A No. All I want is something that is mine and my  
3 family's and that I have worked my whole life for  
4 this; that's it.  
5 Q Thank you very much for your time.  
6 I have no further questions.  
7 MR. WALL: I have no questions.  
8 (Time noted: 1:20 P.M.)  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

91

1 or in Dallas ?  
2 A No.  
3 Q Have you ever been questioned by customers  
4 whether you are related, this Boi na Braza, with  
5 the Boi na Braza in Atlanta or Dallas?  
6 A No, the first time I heard anything about Boi  
7 na Braza is when I received this letter.  
8 Q Have you ever received a report from your  
9 employees of people, their friends, that mentioned  
10 that there may exist a Boi na Braza Churrascaria in  
11 Atlanta or Dallas?  
12 A No.  
13 Q So you never heard of Boi na Braza, with a  
14 Z, Restaurant until you received the letter on  
15 January 11, 2007?  
16 A Yes.  
17 Q That was the first time?  
18 A Yes.  
19 Q And there is no report from anybody that  
20 you know that asked you about the relationship  
21 between your Churrascaria Restaurant and my client's  
22 Churrascaria restaurant?  
23 A No.  
24 Q Is there anything else you want to add to  
5 your deposition, do you want to correct anything

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CERTIFICATE

I, William Sokol, Certified Shorthand  
Reporter of the State of New Jersey, License No.  
30X100030700, and Notary Public of the State of New  
Jersey, do hereby certify that the foregoing is a  
verbatim record of the testimony provided under oath  
before any Court, Referee, Commission or other body  
created by statute of the State of New Jersey.

I am not related to any parties involved in  
this action; I have no financial interest nor am I  
related to an agent of or employed by anyone with a  
financial interest in the outcome in which this  
transcript was taken; and furthermore, that I am not  
a relative or employee of any attorney or counsel  
employed by the parties hereto or financially  
interested in the action.

WILLIAM SOKOL

Certified Shorthand Reporter  
and Notary Public



109 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES  
INCENTIVES • FULFILLMENT

Acct	Due	Invoice #	Balance
3871	07-22-99	10592	\$511.50

# 1115  
**ACCOUNT PAST DUE**  
PLEASE REMIT PAYMENT

# INVOICE

BILL TO:

Churrascaria Boi Na Brasa  
Farid  
70 Adams St. Store #4  
Newark NJ 07105

SHIP TO:

Churrascaria Boi Na Brasa  
Farid  
70 Adams St. Store #4  
Newark NJ 07105

**Statement Phone:** (973) 589-6069

**Statement Contact:** Farid

**Statement Fax:**

07-22-99		NET 10		Fabio	
108	108	50/50 White t-shirts w/ 1 color front/1 color back		\$4.00	\$432.00
1	1	3'X5' Banner		\$75.00	\$75.00
		<div>Paid # 1115  Fabio</div>			

PLEASE BE SURE TO RECORD OUR INVOICE NUMBER ON YOUR CHECK.  
SO THAT PAYMENT MAY BE CORRECTLY APPLIED TO YOUR ACCOUNT.  
INVOICE PAYMENTS MUST BE RECEIVED WITHIN 10 DAYS OF THE

PLEASE BE SURE TO RECORD OUR INVOICE NUMBER ON YOUR CHECK.  
SO THAT PAYMENT MAY BE CORRECTLY APPLIED TO YOUR ACCOUNT.  
INVOICE PAYMENTS MUST BE RECEIVED WITHIN **10 DAYS** OF THE  
INVOICE DATE. PAYMENTS RECEIVED AFTER 20 DAYS WILL BE CHARGED  
INTEREST AT A RATE OF **2% PER MONTH**.

**BALANCE DUE** **\$511.50**

**EXHIBIT**

*P-11*

TS 000311



109 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES  
INCENTIVES • FULFILLMENT

Acct	Date	Invoice	Balance
3871	12-27-99	10713	\$583.74

# INVOICE

**BILL TO:**

Churrascaria Boi Na Brasa  
Farid  
70 Adams St. Store #4  
Newark NJ 07105

**SHIP TO:**

Churrascaria Boi Na Brasa  
Farid  
70 Adams St. Store #4  
Newark NJ 07105

**Statement Phone:** (973) 589-6069

**Statement Contact:** Farid

**Statement Fax:**

12-22-99		UPS		NET 10		Newark		Fabio	
1000	1000	MCH	Magnet house calendar w/ red imprint			\$0.45	\$450.00		
1	1		3'X6' Banner w/ logo			\$90.00	<del>\$90.00</del>		
			Paid 11/79 Fabio \$477.00						

PLEASE BE SURE TO RECORD OUR INVOICE NUMBER ON YOUR CHECK.  
SO THAT PAYMENT MAY BE CORRECTLY APPLIED TO YOUR ACCOUNT.  
INVOICE PAYMENTS MUST BE RECEIVED WITHIN 10 DAYS OF THE  
INVOICE DATE. PAYMENTS RECEIVED AFTER 20 DAYS WILL BE CHARGED  
INTEREST AT A RATE OF 2% PER MONTH.

**BALANCE DUE** **\$583.74**

TS 000312



109 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES  
INCENTIVES • FULFILLMENT

Account	Order	Invoice	Balance
3871	01-14-00	10787	\$552.00

# INVOICE

## BILL TO:

Churrascaria Boi Na Brasa  
Farid  
70 Adams St. Store #4  
Newark NJ 07105

## SHIP TO:

Churrascaria Boi Na Brasa  
Farid  
70 Adams St. Store #4  
Newark NJ 07105

Statement Phone: (973) 589-6069

Statement Contact: Farid

Statement Fax:

01-14-00		NET 10			Fabio
78	78	Sweat shirts, white w/ logo front & back 8M, 30L, and 40XL	\$8.00	\$468.00	
12	12	Same as above 12XXLarge	\$7.00	\$84.00	
<p><i>Paid</i> <i>11/7/99</i> <i>Fabio</i></p>					

PLEASE BE SURE TO RECORD OUR INVOICE NUMBER ON YOUR CHECK.  
SO THAT PAYMENT MAY BE CORRECTLY APPLIED TO YOUR ACCOUNT.  
INVOICE PAYMENTS MUST BE RECEIVED WITHIN 10 DAYS OF THE  
INVOICE DATE. PAYMENTS RECEIVED AFTER 20 DAYS WILL BE CHARGED  
INTEREST AT A RATE OF 2% PER MONTH.

BALANCE DUE

\$552.00

TS 000623

ARTE INICIAL INC.


Brazilian Voice Newspaper  
P.O. Box 5686  
Newark, NJ - 07105

# INVOICE

DATE	INVOICE NO.
2/2/2000	20009222

BILL TO
CHURRASCARIA BOI NA BRASA 70 Adams Street Newark, NJ 07105

TERMS	DUE DATE	REP
Due on receipt	2/2/2000	rl

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
1/4	1/4 Page Ad - Edit 471/472/473/474	4	70.00	280.00
 <b>PAST DUE PLEASE REMIT</b>				
Please make payment to Arte Inicial Inc. Favor fazer cheque nominal a Arte Inicial Inc.			<b>Total</b>	\$280.00

TS 000681

**Brazilian Voice**  
NEWSPAPER

ARTE INICIAL INC.


Brazilian Voice Newspaper  
P.O. Box 5686  
Newark, NJ - 07105

# INVOICE

DATE	INVOICE NO.
3/1/2000	20009286

BILL TO
CHURRASCARIA BOI NA BRASA 70 Adams Street Newark, NJ 07105

TERMS	DUE DATE	REP
Due on receipt	3/1/2000	rl

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
1/4	1/4 Page Ad - Edit 475/476/477/478	4	70.00	280.00
<div> <b>PAST DUE PLEASE REMIT</b></div>				
Please make payment to Arte Inicial Inc. Favor fazer cheque nominal a Arte Inicial Inc.			<b>Total</b>	\$280.00

TS 000683





# Tirolindo News

207 Ivy St - Kearny - NJ 07032 - US  
Tel: (201) 987-542 • FAX: (201) 987-5542  
www.tirolindo.com / www.tionet.com / e-mail: news@tionet.com

1008

## Insertion Order Authorization

Company Boi NA Boren Date 08/10/2000  
Phone (93) 581 6067 FAX (.....) Contact Person .....  
City NEWARK ST NJ Zip Code 07105  
E-mail ..... P.O. Box .....

	% Page	% Page	Bottom Page	% Page	% Page	1/8 Page Lateral	Business Directory
	\$175.00	\$175.00	\$100.00 10 %	\$90.00 10 %	\$100.00 2 % x	\$45.00 3 %	\$50.00 monthly
AD 1	AD 2	AD 3	AD 4	AD 5	AD 6	AD 7	AD 8

☐ Color ☐ Art supplied by the customer  
☐ B & W ☐ Art made by the Dept. of Marketing

AD#	Start	End	Unit Price	Total
A4	01	52	-	1,500.00

Total \$ 1,500.00

☐ Check ☐ Credit Card ☐ Other  
5% EXP DATE .....  
Date .....

Signature Authorization: ..... Date 08/10/2000  
Observations: 50% 750.00

Tirolindo2000A1



# Tirolindo News

207 Ivy St - Kearny - NJ 07032 - US

Tel: (201) 997-9542 • FAX: (201) 997-9542

www.tirolindo.com / www.tionet.com / e-mail: news@tionet.com

1008

## Insertion Order Authorization

Company Bol NA Boren Date 08/10/2000  
Phone (93) 589 6009 FAX ( ) Contact Person  
City NEWARK ST NJ Zip Code 07105  
E-mail P.O. Box

	% Page	% Page	Bottom Page	% Page	% Page	1/8 Page	Business Directory
	\$175.00	\$175.00	\$100.00	\$80.00	\$100.00	\$45.00	\$50.00
	10 %	10 %	10 %	10 %	2 % x	3 %	monthly
Ad #1	Ad #2	Ad #3	Ad #4	Ad #5	Ad #6	Ad #7	Ad #8

☐ Color ☐ Art supplied by the customer  
☐ B & W ☐ Art made by the Dept. of Marketing

AD#	Start	End	Unit Price	Total
A4	01	52	-	1,500.00
Total \$				1,500.00

☐ Cash ☒ Check ☐ Credit Card ☐ Other  
# EXP DATE  
Date

Signature Authorization: Date 08/10/2000  
Observations: 50% 750.00

Tirolindo2000A1

DUPLICATE

TS 000603

750

250

300

June 10

September 12

130

100

29 September 1944

and full

750 —  
250 — June 10  
300 — September 12

1300  
200 29 September 1944.

and full

**Brazilian Voice**  
NEWSPAPER

ARTE INICIAL INC.

Brazilian Voice Newspaper  
P.O. Box 5686  
Newark, NJ - 07105

# INVOICE

DATE	INVOICE NO.
4/1/2000	20009384

<b>BILL TO</b>
CHURRASCARIA BOI NA BRASA 70 Adams Street Newark, NJ 07105

TERMS	DUE DATE	REP
Due on receipt	4/1/2000	rl

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
1/4	1/4 Page Ad - Edit 479/480/481/482/483	5	70.00	350.00
<div><i>Paford</i></div> <div><b>PAST DUE PLEASE REMIT</b></div>				
Please make payment to Arte Inicial Inc. Favor fazer cheque nominal a Arte Inicial Inc.				<b>Total</b> 3350.00

TS 000680



ARTE INICIAL INC.  
Brazilian Voice Newspaper  
P.O. Box 5686  
Newark, NJ - 07105

# INVOICE

DATE	INVOICE NO.
5/1/2000	20009490

<b>BILL TO</b>
CHURRASCARIA BOI NA BRASA 70 Adams Street Newark, NJ 07105

		TERMS	DUE DATE	REP
		Due on receipt	5/1/2000	rl
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
1/4	1/4 Page Ad - Edit 484/485/486/487  <i>Paper Two</i>	4	70.00	280.00
Please make payment to Arte Inicial Inc. Favor fazer cheque nominal a Arte Inicial Inc.			<b>Total</b>	<b>\$280.00</b>

TS 000682



ARTE INICIAL INC.

Brazilian Voice Newspaper  
P.O. Box 5686  
Newark, NJ - 07105

# INVOICE

DATE	INVOICE NO.
6/29/2000	20009740

BILL TO
CHURRASCARIA BOI NA BRASA 70 Adams Street Newark, NJ 07105

TERMS	DUE DATE	REP
Due on receipt	6/29/2000	rl

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
1/4	1/4 Page Ad - Edit 493/494/495/496	4	70.00	280.00
Full	Full Page Ad - Dia de Portugal Edi 493	1	240.00	240.00
Please make payment to Arte Inicial Inc. Favor fazer cheque nominal a Arte Inicial Inc.			<b>Total</b>	<b>\$520.00</b>

TS 000679

..0..  
2,200.00 +  
1,350.00 -  
900.00 -  
003.....  
-50.00 \*



Listas Telefonicas Brasil USA  
 123 Van Buren Street  
 3rd Floor  
 Newark, NJ 07105-2700

# Statement

Statement Date:  
 Jun 29, 2001

Voice: 973-344-7682  
 Fax: 973-344-7683

Customer Account ID:  
 BOI NA BRASA

Account Of: CHURRASCARIA BOI NA BRASA  
 70 ADAMS STREET  
 NEWARK, NJ 07105

Amount Enclosed  
 \$ \_\_\_\_\_

Date	Due Date	Invoice No.	Paid	Description	Amount	Balance
4/8/01	4/8/01	109			2,200.00	2,200.00
<p>EN 02.10.01            Pago 1.000,00 (Personal Services)            OUEAB 01/9            Prover 3500 No da 10/24/01            SETA 16m</p>						
Total						2,200.00

0-30	31-60	61-90	Over 90 days
0.00	0.00	2,200.00	0.00

TS 000713



# Listas telefônicas Brazil - Usa

As Páginas Amarelas que o Brazil - USA

123 Van buren St - Newark, NJ 07105

NO 00587 Tel: (973) 344 - 7682 \* Fax: (973) 344 - 7683

Insertion Order: \_\_\_\_\_

Cód. Cliente: \_\_\_\_\_

Advertiser: CHURRASCARIA BOI NA BRASA

Address: 40 ADAMS STREET Date: 03-12-2001

City: NEWARK St: NJ Zip: 07105 Contact: \_\_\_\_\_

Tel: (973) 589 60 69 Fax: ( ) \_\_\_\_\_ Email: \_\_\_\_\_  
589 69 84

CODE	TITLE	DESCRIPTION	SPACE	PRICE
	CHURRASCARIA	Lº. PÔNICAS NO TRILHO DO ESTADO NJ	FULL PAGE	1869,00
		PODIA MARRA DE CORES NO ENLACE		
		OWIEC DA EXID DO MA - NJ FRENTE		1600,00
	2		DOCL.	1089,00
	RESTAURANTE		3/4H	1089,00

SALES MAN

Rodrigues

Total \$ 2020,00

Obs: \_\_\_\_\_

☐ Check. #.....

☐ Cash

☐ Credit Card

Receive by: \_\_\_\_\_ Date: \_\_\_\_\_

Advertising ordered by: \_\_\_\_\_

Signature: [Signature] Date: 03-12-2001

REQUIRE THE ABOVE INFORMATION, AS PER EXPRESSED TERMS

See: The advertiser agrees to hold harmless the publisher for the publication of the submitted copy. Credit for error is allowed on the first only. Advertiser assumes all liability for statements and agrees to indemnify publisher for any claims made in connection therewith. All art work, layout, design and articles remain the sole property of the publisher. Reproduction of material in part or in whole without written permission is strictly prohibited. Balance due 30 days after publication date. All past due accounts are subjected to a finance charge of 1.75% per month. This is an annual rate of 21%.

TS 000714

**Listas Telefonicas Brasil USA****Statement**

123 Van Buren Street  
3rd Floor  
Newark, NJ 07105-2700

Statement Date:  
Dec 14, 2001

Voice: 973-344-7682  
Fax: 973-344-7683

Customer Account ID:  
BOI NA BRASA

Account Of: CHURRASCARIA BOI NA BRASA  
70 ADAMS STREET  
NEWARK, NJ 07103

Attn:

Amount Enclosed  
\$ \_\_\_\_\_

Date	Due Date	Invoice No.	Paid	Description	Amount	Balance
4/8/01	4/8/01	109	Part		1,200.00	1,200.00
12/3/01	12/3/01	867			132.00	1,332.00
<i>Check # 516 4/9/01, w/ 12/26/01 for 1/2</i>						
					<b>Total</b>	<b>1,332.00</b>

0-30	31-60	61-90	Over 90 days
132.00	0.00	0.00	1,200.00

TS 000715

with fresh  
500-

# BRAZILIAN PRESS NEWSPAPER

## Comercial Contract

Company BOI NA BRASA

Fantasy Name: \_\_\_\_\_

Address 70 ADAMS ST

City NEWARK State NJ

Zip 07105 Contact FARID

Tel: (973) 589 6069

Fax: \_\_\_\_\_

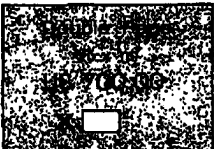
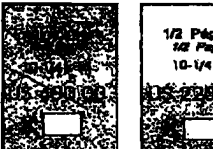
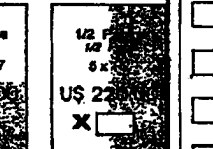
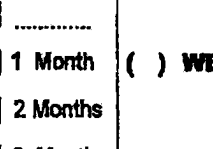
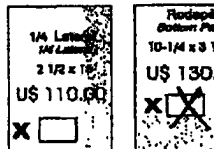
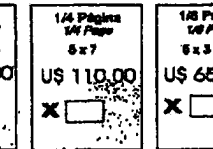
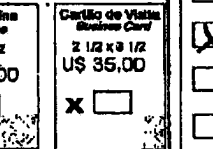
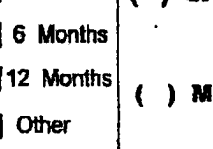
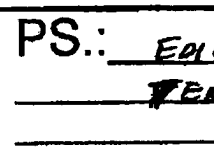
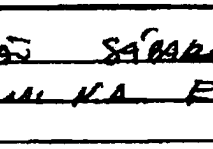
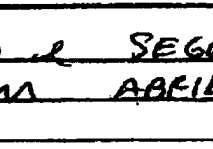
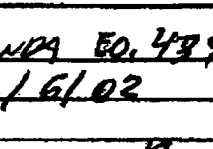
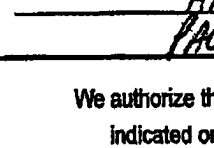
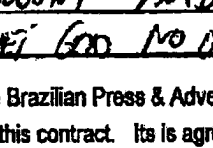
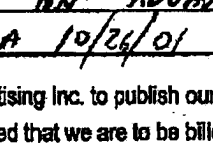
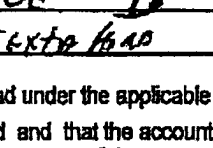
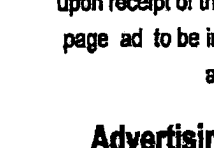
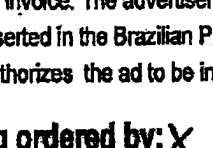
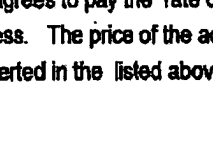
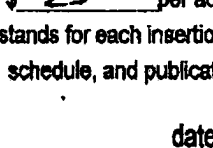
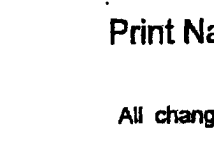
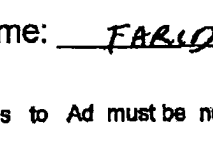
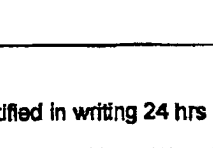
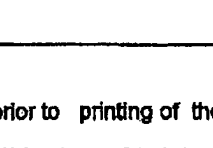
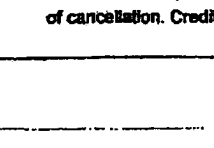
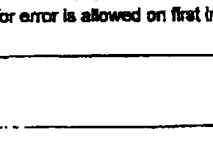
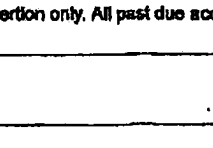
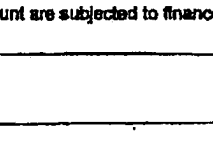
E-Mail: \_\_\_\_\_

For the Brazilian Press Newspaper  
 Salesman CHAS  
 Signature \_\_\_\_\_  
 Date \_\_\_\_\_  
 Telephone \_\_\_\_\_

## BRAZILIAN PRESS

123 Van Buren - Suite 3 Newark - NJ, 07032  
 Tel (973) 844-4555 Fax (973) 344-7683  
 E-Mail: bpcoluna@ix.netcom.com

### Edition Dates

				<input type="checkbox"/> _____	( ) WED  ( ) SAT  ( ) MON	1st Edition <u>439</u>
				<input type="checkbox"/> 1 Month		____/____/____
				<input type="checkbox"/> 2 Months		____/____/____
				<input type="checkbox"/> 3 Months		____/____/____
				<input checked="" type="checkbox"/> 6 Months		____/____/____
				<input type="checkbox"/> 12 Months		____/____/____
				<input type="checkbox"/> Other	____/____/____	

PS.: EDICAO SABADO 2 SEGUNDA ED. 439 10/6/01  
TEL. NA FAX ABRIL/6/02

AMOUNT PAID AN ADVANCE B 1.200,00  
PAGAR GOV MO NA 10/26/01 Sexta Fei

We authorize the Brazilian Press & Advertising Inc. to publish our ad under the applicable rate for the period indicated on this contract. Its is agreed that we are to be billed and that the accounts are to be paid upon receipt of the invoice. The advertiser agrees to pay the rate of \$ 25 per ad size BOTTOM page ad to be inserted in the Brazilian Press. The price of the ad stands for each insertion, and the advertiser authorizes the ad to be inserted in the listed above schedule, and publications.

Advertising ordered by: X date 10/6/01

Print Name: FARID

All changes to Ad must be notified in writing 24 hrs prior to printing of the newspaper.

The advertiser is responsible for the payment off all ads published. There will be a 20% fee charge of the balance remaining on contract in case of cancellation. Credit for error is allowed on first insertion only. All past due account are subjected to finance charge of 1.50% per month



**CHURRASCARIA BOI NA BRASA**  
70 ADAMS STREET #3 & 4  
NEWARK NJ 07105



**Any Question ? Call (732) 906-8039**  
**E-MAIL: [verdezamarelo@hotmail.com](mailto:verdezamarelo@hotmail.com)**

# INVOICE

**Due Date:** FEB/12/02



**Log On Now!**

**WWW.VERDE-AMARELO.COM**

**Maximizing your business**

[illegible]

**Thank You For Your Cooperation**

TS 000758



**CEP:**

CIDADE

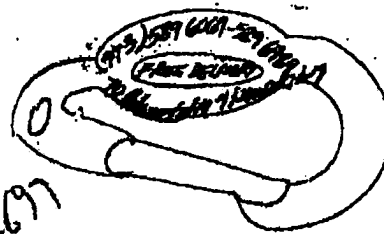
7-1084 E-M

**E-MAIL**

**GNPJ:**

**INBCR, EST.:**

- Vermelho + preto



finde blanco

-First time

Spid in full  
\$ 600.00

PAID  
BY CHASE # 67

**OBSERVAÇÕES**

400 Chaveros metálicos mirados

1:50

5000

4/40 RES.

9

**TOTAL FINAL**

5020

A) A firma vendadora entregará ao comprador o produto em embalagem lacrada.  
 B) É de dever do comprador verificar, antes de assinar o documento de venda, se o produto está em perfeito estado e se o preço está correto.  
 C) O comprador pagará o valor do produto, em dinheiro, na forma que o vendedor estabelecer, não podendo, sob nenhuma hipótese, pagar em prestações.  
 D) O prazo de entrega é de 30 dias, contados a partir da data da emissão do documento de venda.  
 E) O prazo de entrega é de 30 dias, contados a partir da data da emissão do documento de venda.  
 F) A firma vendadora fará a entrega dos produtos adquiridos no prazo estipulado no contrato. DESDE QUE ESTA entrega não seja feita por motivo de força maior, ou por motivo de fato de imprevisão, ou por motivo de fato de caso fortuito.  
 G) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 H) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 I) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 J) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 K) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 L) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 M) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 N) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 O) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 P) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 Q) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 R) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 S) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 T) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 U) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 V) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 W) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 X) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 Y) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.  
 Z) O comprador poderá cancelar o contrato, sem qualquer penalidade, até 7 dias da emissão do mesmo.

FORMA DE PAGAMENTO

Na entrega



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
1/24/2003	3238

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	1/24/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
206	Ski Hats embroidery only. Sales Tax				3.20 6.00%	659.20 0.00
Hand Fabi 3/25/03						

**Total**

**\$659.20**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

**TS 000170**





113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

# Invoice

DATE	INVOICE #
2/13/2003	3275

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	2/13/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
2	Sign coroplast 3'x4' w/ Boi na Brasa and Casa Nova logo (parking) w/ installation				72.00	144.00T
1	Same as above 7'x4'				168.00	168.00T
	Sales Tax				6.00%	18.72
<div>Paid Fabio 9/16/03</div>						

**Total**

**\$330.72**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

TS 001018



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

# Invoice

DATE	INVOICE #
2/24/2003	3291

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	2/24/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
1,000	Magnet calendar				0.38	380.00T
1	Freight				18.00	18.00
	Sales Tax				6.00%	22.80
<div>Paul Farid 3/25/03</div>						

**Total**

**\$420.80**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

TS 000171



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
2/24/2003	3291

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	2/24/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
1,000	Magnet calendar				0.38	380.00T
1	Freight				18.00	18.00
	Sales Tax				6.00%	22.80
DUPLICATE						
Paid Fajno 9/16/03						

**Total**

**\$420.80**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

TS 001015



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
3/10/2003	3300

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	3/10/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
21	Aprons to be printed w/ one color (Boi na Brasa logo)				3.50	73.50
	Sales Tax				6.00%	0.00
<i>Paid Fabry 3/25/03</i>						

**Total**

**\$73.50**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

**TS 000172**



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
6/9/2003	3484

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	6/9/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
1	Banner 4x16 w/ sponsors				384.00	384.00T
2	Coroplast boxes (Confianza Moving)				150.00	300.00T
1	Banner 4x12 (Boi na Brasa)				240.00	240.00T
60	T-shirts w/ one color on back and one color on front(Boi Na Brasa)				4.50	270.00
60	Same as above (Casa Nova)				4.50	270.00
1	Set-up charge (Sponsors for T's)				30.00	30.00
	Sales Tax				6.00%	55.44
<div><div>\$ 895.00</div><div>Farid 7/18/03</div></div>						

**Total**

\$1,549.44

140.00

1309.44

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

TS 000158



**170 Malvern Street - Newark, NJ 07105**

e-mail: pbaprinting@msn.com

№ 02998

DATE 07/11/03

TO EXT NA SPASA

**ADDRESS**

CITY

STATE/ZIP

TEL: ( )

TS 001033

Superstation Media Inc  
 TV GLOBO INTL. Representative in the USA  
 P. O. BOX 310595  
 Miami, FL 33231-0595  
 PHONE: 305-576-6933  
 FAX: 305-576-1903

# Invoice

Date	Invoice #
7/29/2003	3286

Bill To:
Boi na Brasa Farid Mubarak 72 Adams Street #4 Newark, NJ 07105 973 589-6069 Fax 973 344-0191

		Agency	Due Date	Account #
		Photo Art	8/20/2003	
Item	Description	Qty	Rate	Amount
Shows 03	40 spots 30" to be aired on TV GLOBO INTL.  <div style="text-align: center;"> <p><u>KATTY</u></p> <p>3550 BISCAYNE BLVD FLAT 700</p> <p>21 33 137</p> <p>MIAMI FL</p> </div>		2,450.00	2,450.00
			<b>Total</b>	<b>\$2,450.00</b>

Make check payable to Superstation Media Inc.

We may charge you \$20 for returned checks.

We apologize if you received this fax in error. If you ever decide you want to be removed from our fax list, please write "Remove" on this document and fax it back toll free to 1-866-705-1394.

TS 001032



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
9/12/2003	3744

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	9/12/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
4	Roof car signs w/ Boi na Brasa logo				70.00	280.00T
	Sales Tax				6.00%	16.80
<div>Paid Feb 3 9/16/03</div>						

**Total**

**\$296.80**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

TS 001017





113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
9/12/2003	3746

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX

P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	9/12/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
2	White book Matches whit red imprint				86.00	172.00T
1	Freight				20.00	20.00
	Sales Tax				6.00%	10.32
<div>Paid Folio 9/16/03</div>						

**Total**

**\$202.32**

Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

TS 001016



113 Monroe Street  
Newark, NJ 07105  
Phone: 973-589-4332  
Fax: 973-589-5280

# Invoice

DATE	INVOICE #
12/17/2003	3983

CUSTOM WEARABLES • EMBROIDERY • SILK SCREENING  
SPORTING GOODS • PREMIUMS • AD SPECIALTIES

**BILL TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

**SHIP TO:**

Boi na Brasa  
Farid  
70 Admas St. Store#4  
Newark, NJ 07105

PHONE 973-589-6069

FAX


P.O. NO.	TERMS	REP	SHIP DATE	SHIP VIA	FOB	PROJECT
	COD	FP	12/17/2003			
QTY	DESCRIPTION				UNIT PRICE	EXTENSION
200	Ski hats black and navy blue w/ embroidery on front lap				3.50	700.00
1	Set-up charge embroidery upgrade				90.00	90.00
	Sales Tax				6.00%	0.00
	c					

**Total**

**\$790.00**


Payments received after 20 days will be charged interest at a rate of 2% per month.  
WE APPRECIATE YOUR BUSINESS.

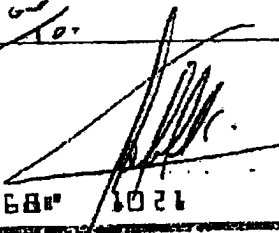
**TS 000769**

 **TERRA SUL CORP**  
70 ADAMS ST. STORE NO 4  
NEWARK NJ 07105

Date 5/2/04 1021  
66-750/0312  
062

Pay to the Order of AD SALAS INC. \$ 790.00  
SEVEN HUNDRED NINETY Dollars @ 100

 **PNCBANK**  
PNC Bank, N.A. 060  
New Jersey

For Big bus 

⑆031207607⑆ 8012786668⑆ 1021

TS 000768

Brazilian Voice Newspaper

EDIÇÃO BRASILEIRA INC  
PO Box 5686  
Newark, NJ 07105

# Invoice

Date	Invoice #
1/2/2004	25212

<b>Bill To</b>
Boi na Brasa Churrascaria 70 Adams Street Newark, NJ 07105

		Terms	Due Date	Rep	Client	
		Due on receipt	1/2/2004	vh		
Item	Description	Insertion D...	Qty	Gross Price	Net Price	Amount
1/16	Business Card Classified Section - Edition 675/677/678	December 3/17/24	3		35.00	105.00
Full	Full Page Ad - Edition 677/678 *Client did not request 2 ads	December 17/24	1		250.00	250.00
<p>PAID BY CASH # 1515 ON 6/23/04</p>		<p>FAST DUE PLEASE REMIT</p>				
Please make check payable to: EDICAO BRASILEIRA, INC. Favor fazer o cheque para EDICAO BRASILEIRA				Total		\$355.00
				Payments/Credits		\$0.00
				Balance Due		\$355.00

TS 000891

# Invoice

P. O. BOX 310595  
Miami, FL 33231-0595  
PHONE: 305-576-6933  
FAX: 305-576-1903

Date	Invoice #
4/1/2004	4267

<b>Bill To</b>
Boi na Brass Farid Mubarak 72 Adams Street #4 Newark, NJ 07103 973 589-6069 Fax 973 344-0191

		Due Date	Agency	Account #
		6/20/2004	DrPre	
Item	Description	Qty	Rate Net	Amount
Novclap + Variada...	46 Spots 30" to be aired on TV Globo Int'l, 3/3		2,350.00	2,350.00
			<b>Total Net</b>	\$2,350.00
			<b>Balance Due</b>	\$2,350.00

TS 000771

INVOICE

# Civil Service Leader

*Official Organ of the N.J. Civil Service Association*

TO:

CHURRASCARIA BOI NA BRASA  
70 ADAMS ST  
NEWARK NJ

TC

5/21 20 04

FARID FALEC 973-589-6069

ADVERTISEMENT

\$100.00

Please Make Checks Payable to CIVIL SERVICE LEADER  
313 Broad Avenue, Suite 203, Ridgefield, N.J. 07657  
(201) 941-6397 • (908) 820-9000 • (609) 278-1400  
FAX (201) 941-1803

# Civil Service Leader

*Official Organ of the N.J. Civil Service Association*

Thomas R. Cannon  
Executive Sales Manager

313 Broad Avenue • Suite 203 • Ridgefield, N.J. 07657  
(201) 941-6397 • (908) 820-9000 • (609) 278-1400  
Fax (201) 941-1803

TS 000892

Superstation Media Inc.  
 TV GLOBE Intl. Representative in the USA.  
 P. O. BOX 310595  
 Miami, FL 33231-0595  
 PHONE: 305-576-6933  
 FAX: 305-576-1903

# Invoice

Date	Invoice #
6/1/2004	4459

<b>Bill To</b>
Boi na Brasa Farid Mubarak 72 Adams Street #4 Newark, NJ 07105 Ph(973)589-6069 Fax(973)44-0191

		Due Date	Agency	Account #
		6/20/2004	BrPr	
Item	Description	Qty	Rate Net	Amount
Novelas + Variety 2	46 Spots 30" to be aired on TV Globo Intl. 2/3	1	2,350.00	2,350.00
			<b>Total Net</b>	\$2,350.00
			<b>Payments/Credits</b>	\$0.00
			<b>Balance Due</b>	\$2,350.00

Make check payable to Superstation Media Inc.  
 We may charge you \$ 30.00 for returned checks.

TS 000890

**COMMUNITY ADVERTISEMENT**

134 East Kinney St.  
Newark, NJ 07105  
Tel: (973) 589-8829  
Cell: (973) 568-4570

**INVOICE**

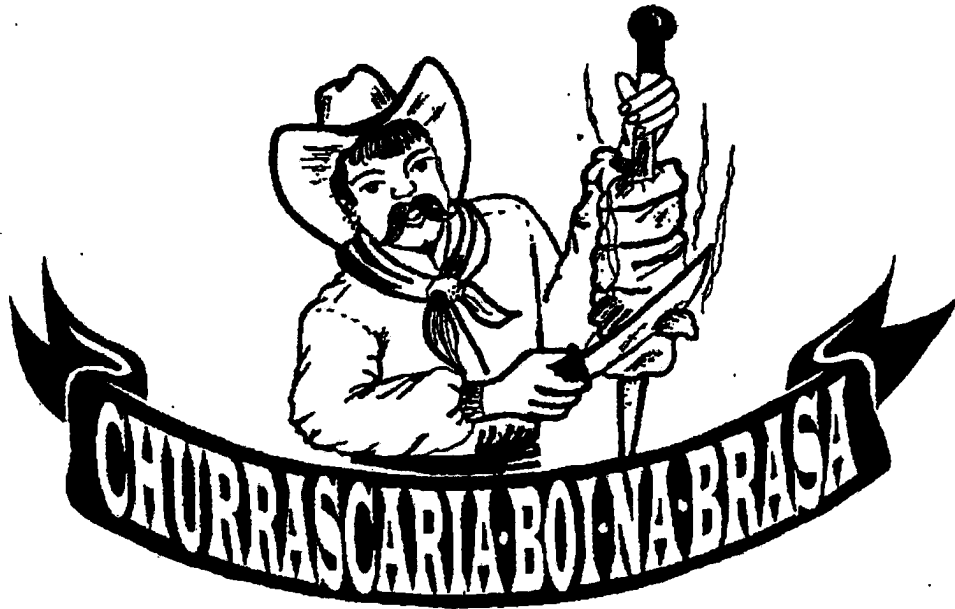
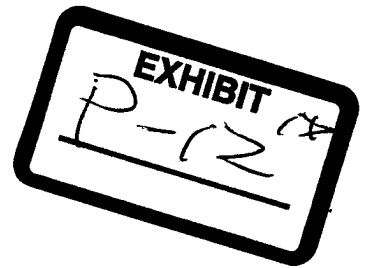
Date	Invoice #
6/11/2007	4223

<b>Bill To</b>
Boi Na Brasa 1 Merchant St. Newark, N.J. 07105

Item Code	Date	Description	Amount
Revista Encontro	6/10/2007	Advertising for "Dia de Portugal" Full Page	1,000.00
Thank you for your business.			
<b>Total</b>			<b>\$1,000.00</b>

**TS 001110**





70 ADAMS ST. - STORE #4  
NEWARK, N.J. 07105

**TEL.: (973) 589-6069 / 589-6984**

**★ FREE DELIVERY ★**

TS 000085

## Aperitivos - Appetizers

Camarão ao Alho ( <i>Sautéed Shrimp in Garlic Sauce</i> ) .....	\$ <u>6.50</u>
Linguiça com Mandioca Frita ( <i>Fried Sausage</i> ) .....	\$ <u>6.00</u>
Frango a Passarinho ( <i>Fried Chicken</i> ) .....	\$ <u>6.00</u>

## Saladas - Salads

Salada de Palmito ( <i>Heart of Palm Salad</i> ) .....	\$ <u>5.00</u>
Salada Simples ( <i>House Salad</i> ) .....	\$ <u>3.50</u>
Salad Bar .....	\$ <u>5.00</u>

## Churrasco - Barbecue

Rodizio ( <i>Continuous B.B.Q. - all you can eat- not for take-out</i> ) .....	\$ <u>16.00</u>
Espeto de Peru c/ Bacon ( <i>Turkey w/ Bacon Skewer</i> ) .....	\$ <u>15.00</u>
Espeto de Frango ( <i>Chicken Skewer</i> ) .....	\$ <u>13.00</u>
Espeto de Vaca ( <i>Beef Skewer</i> ) .....	\$ <u>18.00</u>
Espeto de Costela Vaca ( <i>Beef Short Ribs Skewer</i> ) .....	\$ <u>18.00</u>
Espeto de Camarão ( <i>Shrimp Skewer</i> ) .....	\$ <u>15.00</u>
Espeto de Porco ( <i>Pork Skewer</i> ) .....	\$ <u>15.00</u>
1/2 Espeto de Picanha ( <i>1/2 Sirloin Skewer</i> ) .....	\$ <u>17.00</u>
1 Espeto de Picanha ( <i>Até 3 pessoas</i> ) ( <i>1 Sirloin Skewer for 3 people</i> ) .....	\$ <u>28.00</u>
1 1/2 Espeto de Picanha ( <i>1 1/2 Sirloin Skewer</i> ) .....	\$ <u>42.00</u>
Espeto Misto ( <i>Mix Skewer</i> ) .....	\$ <u>16.00</u> ....(For 2 People).....
Espeto de Coração ( <i>Chicken Heart Skewer</i> ) .....	\$ <u>13.00</u>
Espeto de Alcatra c/Bacon ( <i>Top Sirloin w/ Bacon Skewer</i> ) .....	\$ <u>17.00</u>

## Frango - Poultry

Frango a Milaneza ( <i>Breaded Chicken</i> ) .....	\$ <u>11.00</u>
Frango a Parmegiana ( <i>Chicken Parmegiana</i> ) .....	\$ <u>12.00</u>
Frango a Passarinho ( <i>Fried Chicken</i> ) .....	\$ <u>10.00</u>
Picadinho de Frango ( <i>Chicken Strips</i> ) .....	\$ <u>11.00</u>
Frango ao Alho ( <i>Garlic Chicken</i> ) .....	\$ <u>10.00</u>

# Festa De Portugal Nobrega

## 09 & 10 de Junho

### Sábado & Domingo

Super produção: Wellington

## Marcio Mendes & Mix Brasil Band

Convidados especiais:

### Alan Kardec, Geraldi & Cezinha

Local:

### Adams St \* Newark, NJ

Distribuição de brindes



<b>Victor's Fish Market</b> Aquatic foods, seafood, fresh, frozen (973) 688-3384 (973) 688-1187 109 Adams St., Newark, NJ	<b>FAST &amp; EASY FINANCING</b> <b>WILSON</b> 1-800-785-8400 <b>SALE COM: TINO DU PAULO</b>	<b>Salão Brasil</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>STATEWIDE</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>GRANDES</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Brazilian Press</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Simões &amp; Monteiro, P.C.</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ
<b>AD</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Eden's English Center</b> "Where learning happens!" (973) 688-1187 109 Adams St., Newark, NJ	<b>G.T. AUTO SALES CORP.</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>LANCER TRUCK SALES</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Tutti Frutti</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Narciso's Printing</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Simões &amp; Monteiro, P.C.</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ
<b>AD</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>ACC computers</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>G.T. AUTO SALES CORP.</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>LANCER TRUCK SALES</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Tutti Frutti</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Narciso's Printing</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ	<b>Simões &amp; Monteiro, P.C.</b> Real Estate (973) 688-1187 109 Adams St., Newark, NJ

WWW.NARCISOSPRINTING.COM • 973-578-2088

EXHIBIT  
P-13

TS 000698

# EXHIBIT B

<p>1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD</p> <p>2 -----</p> <p>3 TERRA SUL CORPORATION a/k/a CHURRASCARIA BOI NA BRASA, 4 Petitioner, 5 v. CANCELLATION NO.: 92047056 6 BOI NA BRASA, INC., 7 Respondent.</p> <p>8 -----</p> <p>9</p> <p>10 Transcript of the deposition of FARID SALEH, 11 taken in the Law Offices of Simoes &amp; Monteiro, P.C., 12 83 Polk Street, Newark, New Jersey, on August 7, 2008 13 commencing at 10:01 a.m., held pursuant to Notice 14 before a Shorthand Reporter and Notary Public.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 F. SALEH</p> <p>2 ZILDA BUZACK,</p> <p>3 called as the official interpreter in this</p> <p>4 matter, was duly sworn by a Notary Public</p> <p>5 of the State of New York to accurately and</p> <p>6 faithfully translate the questions propounded</p> <p>7 to the witness from English to Portuguese and</p> <p>8 answers given from Portuguese to English.</p> <p>9 FARID SALEH,</p> <p>10 having been duly sworn by a Notary Public</p> <p>11 of the State of New York, was examined and</p> <p>12 testified through an interpreter as follows:</p> <p>13 DIRECT EXAMINATION</p> <p>14 BY MR. CLARK:</p> <p>15 Q State your full name for the record.</p> <p>16 A Farid Saleh.</p> <p>17 Q State your current address for</p> <p>18 the record.</p> <p>19 A 148 Komorn Street, Apartment 3,</p> <p>20 Newark, New Jersey 07105.</p> <p>21 Q We're on the record now.</p> <p>22 Good morning, Farid.</p> <p>23 A Good morning.</p> <p>24 Q Do you understand why you</p> <p>25 were called here to testify today?</p>
<p>1 APPEARANCES:</p> <p>2</p> <p>3 PATTERSON &amp; SHERIDAN, LLP. Attorneys on behalf of the Petitioner</p> <p>4 3040 Post Oak Boulevard Suite 1500 Houston, Texas 77056 (713) 623-4844 (713) 623-4846 Fax BY: DAVID L. CLARK, ESQ. E-MAIL: Dclark@pattersonsheridan.com WEB: www.pattersonsheridan.com</p> <p>8</p> <p>9 PATTERSON &amp; SHERIDAN, LLP. Attorneys on behalf of the Petitioner</p> <p>10 595 Shrewsbury Avenue Suite 100 Shrewsbury, New Jersey 07702 (732) 530-9404 (732) 530-9808 Fax BY: EAMON J. WALL, ESQ. E-MAIL: Ewall@pattersonsheridan.com WEB: www.pattersonsheridan.com</p> <p>14</p> <p>15 THOMPSON &amp; KNIGHT, LLP. Attorneys on behalf of the Respondent</p> <p>16 919 Third Avenue New York, New York 10022 (212) 751-3048 (212) 880-3238 Fax BY: IRENE R. DUBOWY, ESQ., E-MAIL: Irene.dubowy@tklaw.com</p> <p>19</p> <p>20 ALSO PRESENT:</p> <p>21 Zilda Buzack, Portuguese Interpreter (917) 686-7071</p> <p>22</p> <p>23</p> <p>24</p> <p>25 U.S. LEGAL SUPPORT, INC.</p>	<p>1 F. SALEH</p> <p>2 A Yes.</p> <p>3 Q What would that reason be?</p> <p>4 A The reasons that we have a</p> <p>5 restaurant. There's another restaurant. Our</p> <p>6 restaurant which has the name, excusing the name,</p> <p>7 Boi Na Brasa. And a while back, I received a</p> <p>8 letter that they wanted me to remove the name of</p> <p>9 my restaurant so I'm here to answer, to say that</p> <p>10 we've been around before them, to speak the truth.</p> <p>11 Q And Farid, do you understand that</p> <p>12 your testimony here today is to be taken as if</p> <p>13 you were in a courtroom before a judge and jury?</p> <p>14 A Yes.</p> <p>15 Q Okay. Farid, have you been</p> <p>16 deposed before?</p> <p>17 A That last time that we were here,</p> <p>18 does that count?</p> <p>19 Q Are you referring to the deposition</p> <p>20 in March?</p> <p>21 A Yes.</p> <p>22 Q Other than that deposition in March,</p> <p>23 have you ever been part of a deposition before?</p> <p>24 A No.</p> <p>25 Q Have you ever testified in a</p>

37

1 **F. SALEH**  
 2 MR. CLARK: I'd like to  
 3 introduce Exhibit Number 14.  
 4 (Whereupon, a document  
 5 consisting of two pages was marked  
 6 as Plaintiff's Exhibit Number 14  
 7 for identification as of this date.)  
 8 Q Farid, have you seen this  
 9 document before?  
 10 A Yes.  
 11 Q What is this document?  
 12 A It's a Churrascaria Boi Na Brasa  
 13 Corp check to pay utility bills, expenses.  
 14 Q Is this document an accurate  
 15 reflection of a check to pay electric bills?  
 16 A Yes.  
 17 Q Who is the payor on this check?  
 18 A Churrascaria Boi Na Brasa Corp.  
 19 Q What is the date of this check?  
 20 A June 26, 1996.  
 21 Q Did you sign this check?  
 22 A Yes.  
 23 Q That is your signature on  
 24 this document?  
 25 MS. DUBOWY: Objection, being

38

1 **F. SALEH**  
 2 that there's two signatures.  
 3 Q Is your signature on this check?  
 4 A Yes.  
 5 Q Who is the check made out to?  
 6 A PSE&G, the utility company for  
 7 the State of New Jersey.  
 8 Q When this check was written, was  
 9 Churrascaria Boi Na Brasa open for business?  
 10 A Yes.  
 11 Q Thank you.  
 12 What does Churrascaria Boi Na Brasa  
 13 mean?  
 14 A To me, it's my life.  
 15 INTERPRETER: He wants to  
 16 know what the meaning of the name.  
 17 Q What does the name  
 18 Churrascaria Boi Na Brasa mean in English?  
 19 A Boi Na Brasa means Bar-B-Que ox. I  
 20 don't know how you call it, roasted over embers,  
 21 burning coal.  
 22 Q Who created the name Churrascaria  
 23 Boi Na Brasa?  
 24 A I've heard this name Boi Na Brasa  
 25 since I was a little kid. In Brazil, in my own

39

1 **F. SALEH**  
 2 hometown, there was a butcher house which was  
 3 called Boi Na Brasa, and I had that in mind.  
 4 Once, I went with my father to shop  
 5 there so I associated Bar-B-Que in a Brazilian  
 6 restaurant in Brazil which is a traditional name  
 7 so I put the name Boi Na Brasa.  
 8 Q When did you decide to name  
 9 your restaurant Churrascaria Boi Na Brasa?  
 10 A We started to think about the  
 11 idea in 1995.  
 12 Q When did you formally decide  
 13 on the name Churrascaria Boi Na Brasa?  
 14 A In the end of 1995, we created  
 15 the logo which is still used today but registered  
 16 as a company correctly we started in 1996.  
 17 Q Did anyone assist you in  
 18 creating the name Churrascaria Boi Na Brasa?  
 19 A At that time it was myself, my wife,  
 20 two friends and my son's godfather is one of them,  
 21 Paulo and his wife Marisveny; and Roberto who  
 22 created the logo, he was a designer. So this  
 23 was the group at the time but it was my idea.  
 24 Q In 1996, when you opened  
 25 Churrascaria Boi Na Brasa, who else used the

40

1 **F. SALEH**  
 2 name Boi Na Brasa in the restaurant business?  
 3 A No one.  
 4 Q In 1996, how did you inform people  
 5 and customers that your restaurant Churrascaria  
 6 Boi Na Brasa was open?  
 7 A In those days since things were  
 8 difficult, there wasn't a lot of money around,  
 9 we made flyers to put on cars, things like that,  
 10 neighborhood stores and also word of mouth.  
 11 Q Did you advertise in local  
 12 newspapers?  
 13 A Actually, I think there was an  
 14 article as soon as we opened the restaurant but  
 15 it wasn't an article. It wasn't paid for but we  
 16 started to advertise in newspaper after we had  
 17 opened up the restaurant because we had money  
 18 and we had a small ad.  
 19 Q When did you first start  
 20 advertising Churrascaria Boi Na Brasa?  
 21 A In newspapers?  
 22 Q Anywhere?  
 23 A Well, in '96 we made the flyers to  
 24 circulate around town. Newspapers, we started in  
 25 1997, I think. I'm not a hundred percent sure.

<p style="text-align: right;">41</p> <p>1 <b>F. SALEH</b></p> <p>2 Q Did you advertise with the</p> <p>3 Brazilian Press in 1997?</p> <p>4 A In 1997 we started with the</p> <p>5 newspapers, yes.</p> <p>6 Q You put an advertisement for</p> <p>7 Churrascaria Boi Na Brasa in the Brazilian Press?</p> <p>8 MS. DUBOWY: Objection, leading.</p> <p>9 Q In 1997, did Churrascaria Boi Na</p> <p>10 Brasa put an advertisement in local newspapers?</p> <p>11 A Yes.</p> <p>12 Q In 1997, which newspapers did</p> <p>13 Churrascaria Boi Na Brasa advertise in?</p> <p>14 A Brazilian Press. I'm not sure</p> <p>15 but also maybe Brazilian Voice.</p> <p>16 MR. CLARK: I'd like to</p> <p>17 introduce Exhibit Number 15.</p> <p>18 (Whereupon, a five-page</p> <p>19 document was marked as Plaintiff's</p> <p>20 Exhibit Number 15 for identification</p> <p>21 as of this date.)</p> <p>22 Now, this doesn't have a Bates</p> <p>23 number on it but it was produced earlier</p> <p>24 with a Bates number.</p> <p>25 Q Farid, have you seen this</p>	<p style="text-align: right;">43</p> <p>1 <b>F. SALEH</b></p> <p>2 bottom.</p> <p>3 Q What is the date of this</p> <p>4 advertisement?</p> <p>5 A It's the week of 17 to 23 of</p> <p>6 September, 1997.</p> <p>7 Q Is this an accurate reflection</p> <p>8 of an advertisement you placed with the</p> <p>9 Brazilian Press in September of 1997?</p> <p>10 A Yes.</p> <p>11 Q Pages 3 and 4 of this document,</p> <p>12 have you seen these before?</p> <p>13 A Yes.</p> <p>14 Q Did Churrascaria Boi Na Brasa</p> <p>15 place an advertisement on either of these</p> <p>16 two pages?</p> <p>17 MS. DUBOWY: Objection, foundation.</p> <p>18 Q Did Churrascaria Boi Na Brasa</p> <p>19 place an advertisement in the Brazilian Press</p> <p>20 in 1999?</p> <p>21 MS. DUBOWY: Objection, leading.</p> <p>22 MR. CLARK: Let me rephrase.</p> <p>23 Q In 1999, did Churrascaria</p> <p>24 Boi Na Brasa advertise in newspapers?</p> <p>25 A Yes.</p>
<p style="text-align: right;">42</p> <p>1 <b>F. SALEH</b></p> <p>2 document before?</p> <p>3 A Yes, I have. It's like I go back</p> <p>4 in time.</p> <p>5 Q You've seen this document before?</p> <p>6 A Yes, I have.</p> <p>7 MS. DUBOWY: Objection, there</p> <p>8 are two documents, two newspapers.</p> <p>9 MR. CLARK: Yes.</p> <p>10 MS. DUBOWY: So when you say</p> <p>11 "document" like which document?</p> <p>12 Q The first two pages, have you</p> <p>13 seen these before?</p> <p>14 A Yes.</p> <p>15 Q The first two pages of</p> <p>16 this document, what is it?</p> <p>17 A This is the cover page for</p> <p>18 Brazilian Press which is our community's</p> <p>19 newspaper.</p> <p>20 Q Is there an advertisement for</p> <p>21 Churrascaria Boi Na Brasa on either of these</p> <p>22 first two pages?</p> <p>23 A Yes.</p> <p>24 Q Where is this advertisement?</p> <p>25 A It's on this second page here,</p>	<p style="text-align: right;">44</p> <p>1 <b>F. SALEH</b></p> <p>2 Q In 1999, did Churrascaria</p> <p>3 Boi Na Brasa ever advertise with the</p> <p>4 Brazilian Press?</p> <p>5 MS. DUBOWY: Objection, leading.</p> <p>6 Q What newspapers did Churrascaria</p> <p>7 Boi Na Brasa advertise with in 1999?</p> <p>8 A Brazilian Press.</p> <p>9 Q Are pages 3 and 4 of Exhibit 15</p> <p>10 an accurate reflection of the advertisements</p> <p>11 you placed with the Brazilian Press in 1999?</p> <p>12 MS. DUBOWY: Objection, ambiguous.</p> <p>13 You didn't establish time.</p> <p>14 Q On pages 3 and 4 of this document,</p> <p>15 is this an accurate representation of an</p> <p>16 advertisement placed by Churrascaria Boi Na Brasa?</p> <p>17 A Aren't you talking about</p> <p>18 pages 2 and 4?</p> <p>19 Q 3 and 4.</p> <p>20 A Could you repeat the</p> <p>21 question please.</p> <p>22 Q Sure.</p> <p>23 On pages 3 and 4 of this document,</p> <p>24 is the advertisement for Churrascaria Boi Na Brasa</p> <p>25 an accurate reflection of the advertisement in the</p>

45

1 F. SALEH  
2 Brazilian Press?  
3 A Yes.  
4 Q When did Churrascaria  
5 Boi Na Brasa place this ad?  
6 A This ad was on November 17, 1999.  
7 Q Was Churrascaria Boi Na Brasa  
8 open for business in 1999?  
9 A Yes.  
10 MS. DUBOWY: Objection, ambiguous.  
11 Q In 1999, was Churrascaria  
12 Boi Na Brasa open?  
13 A It was open, it had operations.  
14 Q In 1999, was Churrascaria  
15 Boi Na Brasa still operating as a restaurant?  
16 A Yes.  
17 Q Does Churrascaria Boi Na Brasa  
18 ever cater?  
19 A We've always done that.  
20 Q When did Churrascaria  
21 Boi Na Brasa first start catering?  
22 A Well, actually in '96 we had a big  
23 catering event. It was big for us because we  
24 were small and this opportunity came up. We did  
25 a catering event in Atlantic City.

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1 F. SALEH  
2 INTERPRETER: The interpreter will  
3 correct herself on the record literally,  
4 "we did one in Atlantic City."  
5 Thank you.  
6 Q This catering event in  
7 Atlantic City, when was it?  
8 A I don't remember the exact date  
9 right now but it was '96 or into '97. It was  
10 right in the beginning.  
11 Q Who was this catering event for?  
12 A It was for the Taj Mahal Casino,  
13 Trump Taj Mahal.  
14 MR. CLARK: I'd like to  
15 enter Exhibit 16.  
16 (Whereupon, a one-page  
17 document was marked as Plaintiff's  
18 Exhibit Number 16 for identification  
19 as of this date.)  
20 Q Farid, have you seen this  
21 document before?  
22 A Yes.  
23 Q What is this document?  
24 A This is an agreement between  
25 Churrascaria Boi Na Brasa and Taj Mahal Casino

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1 F. SALEH  
2 for Brazilian food catering.  
3 Q Is this an accurate reflection of  
4 the agreement between Churrascaria Boi Na Brasa  
5 and the Trump Taj Mahal?  
6 A For this event, yes.  
7 Q What was the date of this agreement?  
8 A According to this document in  
9 front of me, the date is June 7, 1996.  
10 Q Did Churrascaria Boi Na Brasa  
11 complete a catering event for the Trump Taj Mahal  
12 in June of 1996?  
13 A Yes.  
14 Q Where else has Churrascaria  
15 Boi Na Brasa catered events?  
16 MS. DUBOWY: Objection,  
17 failed to establish foundation.  
18 Q Has Churrascaria Boi Na Brasa  
19 ever catered to other people or entities?  
20 A Yes.  
21 Q Was this exclusively in New Jersey?  
22 A No. We do it in New Jersey.  
23 I've done it in New York and Connecticut.  
24 Q When did Churrascaria  
25 Boi Na Brasa cater an event in New York?

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1 F. SALEH  
2 A I'm not sure but I think  
3 three years ago.  
4 Q Do you remember who Churrascaria  
5 Boi Na Brasa catered to in New York approximately  
6 three years ago?  
7 A I'm not really sure but the thing  
8 is we got this catering event from this female.  
9 She was a relative of the Madrid Hotel in Wildwood  
10 in New Jersey and we did catering for her there  
11 during three years. And then they sold the hotel  
12 and we continued doing it for their family in  
13 New York, they had moved to New York.  
14 Q Thank you.  
15 From 1996 to the present time,  
16 has Churrascaria Boi Na Brasa ever shut down?  
17 A No.  
18 Q From 1996 to the present time,  
19 has Churrascaria Boi Na Brasa ever stopped doing  
20 business at its current location in New Jersey?  
21 A No.  
22 Q From 1996 to the present time,  
23 has Churrascaria Boi Na Brasa ever identified  
24 itself by a different name to the public?  
25 A No.



<p style="text-align: right;">49</p> <p>1 <b>F. SALEH</b></p> <p>2 MR. CLARK: I'd like to</p> <p>3 introduce Exhibit Number 17.</p> <p>4 (Whereupon, a three-page</p> <p>5 document was marked as Plaintiff's</p> <p>6 Exhibit Number 17 for identification</p> <p>7 as of this date.)</p> <p>8 Q Farid, did Churrascaria Boi Na Brasa</p> <p>9 ever create a logo or design for its restaurant?</p> <p>10 A <b>Could you repeat please.</b></p> <p>11 Q Sure.</p> <p>12 Did Churrascaria Boi Na Brasa</p> <p>13 ever create a logo or design for its restaurant?</p> <p>14 MS. DUBOWY: Objection, ambiguous.</p> <p>15 Q Did Churrascaria Boi Na Brasa</p> <p>16 ever create a logo for the restaurant?</p> <p>17 MS. DUBOWY: Objection, ambiguous.</p> <p>18 Q Is there a logo that identifies</p> <p>19 Churrascaria Boi Na Brasa the restaurant?</p> <p>20 A <b>Yes, there is a logo.</b></p> <p>21 <b>That's right here, I've created it.</b></p> <p>22 Q Who created the logo</p> <p>23 for Churrascaria Boi Na Brasa?</p> <p>24 A <b>Roberto, this friend that I spoke</b></p> <p>25 <b>about before. He's the one who made the drawing.</b></p>	<p style="text-align: right;">51</p> <p>1 <b>F. SALEH</b></p> <p>2 <b>on the menu and after that it came out -- I don't</b></p> <p>3 <b>know how you call that thing in the front of the</b></p> <p>4 <b>restaurant that we put on, canopy.</b></p> <p>5 Q Are you referring to a sign?</p> <p>6 A <b>Yes, the sign, a design with a logo</b></p> <p>7 <b>and the name. I have pictures back home.</b></p> <p>8 Q When did Churrascaria Boi Na Brasa</p> <p>9 open?</p> <p>10 A <b>April of 1996.</b></p> <p>11 Q When Churrascaria Boi Na Brasa</p> <p>12 opened in April of 1996, where was it located?</p> <p>13 A <b>70 Adams Street, Store Number 4,</b></p> <p>14 <b>Newark, New Jersey. That's where we have been</b></p> <p>15 <b>until this day.</b></p> <p>16 Q What is Terra Sul Corp?</p> <p>17 A <b>The Terra Sul Corp is a</b></p> <p>18 <b>corporation that I have opened and it</b></p> <p>19 <b>owns Churrascaria Boi Na Brasa.</b></p> <p>20 Q When did Terra Sul Corp acquire</p> <p>21 ownership of Churrascaria Boi Na Brasa?</p> <p>22 A <b>It was in 1999.</b></p> <p>23 Q Is Terra Sul a registered</p> <p>24 corporation?</p> <p>25 A <b>Yes.</b></p>
<p style="text-align: right;">50</p> <p>1 <b>F. SALEH</b></p> <p>2 <b>He wanted a model. Actually, at the time, this</b></p> <p>3 <b>little guy here looks like me.</b></p> <p>4 Q When did Roberto draw this logo?</p> <p>5 A <b>When he made the drawing?</b></p> <p>6 Q When did Roberto draw the logo?</p> <p>7 A <b>'95, end of '95.</b></p> <p>8 Q 1995?</p> <p>9 A <b>Yes.</b></p> <p>10 Q Now this exhibit I put before you,</p> <p>11 Exhibit 17, have you seen this document before?</p> <p>12 A <b>This one?</b></p> <p>13 Q Yes.</p> <p>14 A <b>Yes.</b></p> <p>15 Q What is this document?</p> <p>16 A <b>This is the first drawing for the</b></p> <p>17 <b>logo Churrascaria Boi Na Brasa logo. It's the</b></p> <p>18 <b>one we use to this day.</b></p> <p>19 Q Has Churrascaria Boi Na Brasa</p> <p>20 ever changed this logo?</p> <p>21 A <b>No.</b></p> <p>22 Q When did Churrascaria Boi Na Brasa</p> <p>23 first use this logo in association with its</p> <p>24 restaurant?</p> <p>25 A <b>Since the day we open. It came out</b></p>	<p style="text-align: right;">52</p> <p>1 <b>F. SALEH</b></p> <p>2 Q Where is Terra Sul Corp registered?</p> <p>3 A <b>The State of New Jersey.</b></p> <p>4 MR. CLARK: I'd like to</p> <p>5 introduce Exhibit Number 18.</p> <p>6 (Whereupon, a one-page</p> <p>7 document was marked as Plaintiff's</p> <p>8 Exhibit Number 18 for identification</p> <p>9 as of this date.)</p> <p>10 Q Have you seen this document before?</p> <p>11 A <b>Yes.</b></p> <p>12 Q What is this document?</p> <p>13 A <b>When Terra Sul was filed.</b></p> <p>14 Q What is this document?</p> <p>15 A <b>It's the registration for</b></p> <p>16 <b>Terra Sul Corp.</b></p> <p>17 Q And when was this registration</p> <p>18 filed?</p> <p>19 A <b>January 19, 1999.</b></p> <p>20 Q Now is this page identified as</p> <p>21 TS1251, is that an accurate reflection of the</p> <p>22 Certificate of Incorporation for Terra Sul Corp?</p> <p>23 A <b>Yes.</b></p> <p>24 MS. DUBOWY: Do you want to</p> <p>25 offer these separately since they</p>

<p style="text-align: right;">53</p> <p>1 F. SALEH</p> <p>2 are three different documents, do</p> <p>3 you mind doing that?</p> <p>4 MR. CLARK: We can do that.</p> <p>5 (Whereupon, an off-the-record</p> <p>6 discussion was held.)</p> <p>7 Q This document, Exhibit 18 which</p> <p>8 is identified as TS1251, is that an accurate</p> <p>9 reflection of the Certificate of Incorporation</p> <p>10 for Terra Sul Corp?</p> <p>11 A Yes.</p> <p>12 Q Who is the registered agent</p> <p>13 for Terra Sul Corp on this certificate?</p> <p>14 A Farid Saleh.</p> <p>15 MR. CLARK: I'm going to</p> <p>16 introduce Exhibit Number 19.</p> <p>17 (Whereupon, a two-page</p> <p>18 document was marked as Plaintiff's</p> <p>19 Exhibit Number 19 for identification</p> <p>20 as of this date.)</p> <p>21 Q Farid, in 2007 did you ever</p> <p>22 file any additional documents with the State</p> <p>23 of New Jersey regarding Terra Sul Corp?</p> <p>24 A Yes.</p> <p>25 Q What were these documents that</p>	<p style="text-align: right;">55</p> <p>1 F. SALEH</p> <p>2 actually filed it so he might be</p> <p>3 having a problem with the date</p> <p>4 because of that.</p> <p>5 Q In 2007, who was president of</p> <p>6 Terra Sul Corp?</p> <p>7 A Farid Saleh.</p> <p>8 Q And as president of Terra Sul</p> <p>9 Corp in '97, did you, personally file any</p> <p>10 documents with the State of New Jersey on</p> <p>11 behalf of Terra Sul?</p> <p>12 A Yes.</p> <p>13 Q What would these documents be?</p> <p>14 A It was Alternative Name</p> <p>15 Registration.</p> <p>16 Q When did you file this Alternative</p> <p>17 Name Registration with the State of New Jersey?</p> <p>18 A February 18, 2007.</p> <p>19 Q In February of 2007, why did you</p> <p>20 file a Registration of Alternative Name with the</p> <p>21 State of New Jersey?</p> <p>22 A Well, we received a letter in</p> <p>23 January. We received a letter from the lawyers</p> <p>24 representing this other company. They wanted</p> <p>25 me to close my business, remove the name and</p>
<p style="text-align: right;">54</p> <p>1 F. SALEH</p> <p>2 you filed with the State of New Jersey?</p> <p>3 A It was Registration Alternative.</p> <p>4 Q Is there an alternative name for</p> <p>5 Terra Sul Corp?</p> <p>6 A Yes.</p> <p>7 Q What would that alternative name be?</p> <p>8 A Churrascaria Boi Na Brasa.</p> <p>9 Q Did you file a Registration of</p> <p>10 Alternate Name with the State of New Jersey?</p> <p>11 A Yes.</p> <p>12 Q When did you file a Registration of</p> <p>13 Alternate Name with the State of New Jersey for</p> <p>14 the Terra Sul Corp?</p> <p>15 A January 18, 2007.</p> <p>16 Q Can you please repeat that date.</p> <p>17 A Why don't you repeat the</p> <p>18 question then, please.</p> <p>19 Q Sure.</p> <p>20 What day did you, as president of</p> <p>21 Terra Sul Corp, file a Registration of Alternative</p> <p>22 Name with the State of New Jersey?</p> <p>23 MS. DUBOWY: Objection,</p> <p>24 assuming facts not in evidence.</p> <p>25 We don't know he was the one who</p>	<p style="text-align: right;">56</p> <p>1 F. SALEH</p> <p>2 my web site. And I was afraid so I came here</p> <p>3 to Fausto, to my attorney, and I started to</p> <p>4 do things, to gather evidence to see what was</p> <p>5 going on. I wanted to show that my company</p> <p>6 was registered, that everything was correct</p> <p>7 because my restaurant is very important to me</p> <p>8 and for my family.</p> <p>9 Q What restaurants does Terra Sul Corp</p> <p>10 presently own?</p> <p>11 A Churrascaria Boi Na Brasa.</p> <p>12 Q Where is that restaurant located?</p> <p>13 A 70 Adams Street, stores number 3</p> <p>14 and 4 in Newark, New Jersey.</p> <p>15 MR. CLARK: I'll introduce</p> <p>16 Exhibit Number 20.</p> <p>17 (Whereupon, a one-page</p> <p>18 document was marked as Plaintiff's</p> <p>19 Exhibit Number 20 for identification</p> <p>20 as of this date.)</p> <p>21 Q Farid, does Terra Sul Corp</p> <p>22 collect taxes in New Jersey?</p> <p>23 A Yes.</p> <p>24 Q Is there any document that</p> <p>25 authorizes Terra Sul Corp to collect taxes</p>

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1 F. SALEH  
 2 in the State of New Jersey?  
 3 A To collect or to pay?  
 4 Q To collect.  
 5 A I don't understand the question.  
 6 Q Has the State of New Jersey  
 7 certified Terra Sul Corp with authority to  
 8 collect taxes on behalf of the State of  
 9 New Jersey?  
 10 A Yes.  
 11 Q I have placed before you Exhibit  
 12 Number 20. Have you seen this document before?  
 13 A Yes.  
 14 Q What is this document?  
 15 A State of New Jersey Tax  
 16 Authorization.  
 17 Q Is this document an accurate  
 18 reflection of the Certificate of Authority for  
 19 Terra Sul Corp to collect Sales and Use Tax in  
 20 New Jersey?  
 21 A Yes.  
 22 Q When did Terra Sul Corp acquire  
 23 authority to collect taxes in the State of  
 24 New Jersey?  
 25 A April 1, 1999.

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1 F. SALEH  
 2 Q Does Churrascaria Boi Na Brasa  
 3 have a web site?  
 4 A Yes.  
 5 Q What is the domain name for this web  
 6 site?  
 7 A Www.boinabrasa.com.  
 8 Q Who owns this domain name?  
 9 A I do, Farid Saleh.  
 10 Q How long have you owned this  
 11 domain name?  
 12 A I'm not really sure. Since 2000 or  
 13 2001 when they started with the whole internet  
 14 thing up until this day.  
 15 Q Do you advertise for  
 16 Churrascaria Boi Na Brasa on this web site?  
 17 A Yes.  
 18 Q Who is Boi Na Braza, Braza with a Z?  
 19 A I found out about this other Boi Na  
 20 Brasa that there was a similar one when I got this  
 21 letter in January of 2007.  
 22 Q When is the first time you heard of  
 23 a restaurant called Boi Na Braza, Braza with a Z?  
 24 A When I received the letter from  
 25 their attorneys.

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1 F. SALEH  
 2 Q Do you have any personal connection  
 3 to this Boi Na Braza restaurant, Boi Na Braza with  
 4 a Z?  
 5 A No.  
 6 Q Does Terra Sul Corp have any  
 7 connection to this Braza restaurant, Braza  
 8 with a Z?  
 9 A No.  
 10 Q Do you, personally, have any  
 11 business associations with this Boi Na Braza  
 12 restaurant, Braza with a Z?  
 13 A No.  
 14 Q Do you own or operate any  
 15 restaurants in Texas?  
 16 A No.  
 17 Q Do you own or operate any  
 18 restaurants in Ohio?  
 19 A No.  
 20 Q Do you own or operate any  
 21 restaurants in Georgia?  
 22 A No.  
 23 Q How did you first learn about  
 24 this Boi Na Braza restaurant, Braza with a Z?  
 25 A It was when we received the letter.

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1 F. SALEH  
 2 This letter was from some lawyers. I think they  
 3 were from Texas. And as I said before, they  
 4 wanted us to close our business because they  
 5 have rights.  
 6 Q When did you receive this  
 7 letter from these Texas lawyers?  
 8 A It was in the beginning of  
 9 January 2007.  
 10 MR. CLARK: I would like to  
 11 introduce Exhibit Number 21.  
 12 (Whereupon, a four-page  
 13 document was marked as Plaintiff's  
 14 Exhibit Number 21 for identification  
 15 as of this date.)  
 16 A That's a letter.  
 17 Q Farid, have you seen this  
 18 document before?  
 19 A Yes, I have.  
 20 Q What is this document?  
 21 A That's a letter they sent us.  
 22 That's where they said that they wanted us --  
 23 that's why I spoke with my lawyer about this.  
 24 Q What is the date on this document?  
 25 A January 11th, 2007.

<p style="text-align: right;">61</p> <p>1 <b>F. SALEH</b></p> <p>2 Q To the best of your recollection,</p> <p>3 is this letter a full and complete copy of the</p> <p>4 letter you received from Thompson &amp; Knight on</p> <p>5 January 11th, 2007?</p> <p>6 A Yes.</p> <p>7 Q What was your reaction when</p> <p>8 you received this letter?</p> <p>9 A I was surprised with it, afraid.</p> <p>10 That's why I contacted a lawyer that time, for</p> <p>11 some guidance.</p> <p>12 Q How did you feel when you</p> <p>13 received this letter?</p> <p>14 A That someone wanted to take</p> <p>15 away my whole life's work here.</p> <p>16 Q Could you please read for the</p> <p>17 record the second sentence of the first</p> <p>18 paragraph of this letter.</p> <p>19 MS. DUBOWY: Is he</p> <p>20 going to read in English?</p> <p>21 MR. CLARK: He can read it</p> <p>22 back to her and she can translate it.</p> <p>23 MS. DUBOWY: Oh.</p> <p>24 A Where shall I read?</p> <p>25 MR. CLARK: Off the record.</p>	<p style="text-align: right;">63</p> <p>1 <b>F. SALEH</b></p> <p>2 A Would you repeat again, please.</p> <p>3 Q Yes or no?</p> <p>4 A Repeat the sentence.</p> <p>5 MS. DUBOWY: I believe he</p> <p>6 wants you to repeat the sentence</p> <p>7 so he can follow.</p> <p>8 Q On July 19, 1999, was Churrascaria</p> <p>9 Boi Na Brasa open for business?</p> <p>10 A Yes, it was.</p> <p>11 Q Was your restaurant Churrascaria</p> <p>12 Boi Na Brasa open for business before July 19,</p> <p>13 1999?</p> <p>14 A Yes, we started in 1996.</p> <p>15 Q Did you advertise through your</p> <p>16 restaurant Churrascaria Boi Na Brasa before</p> <p>17 July 19, 1999?</p> <p>18 A Yes.</p> <p>19 Q After you received this letter,</p> <p>20 what did you do?</p> <p>21 A I brought it to my attorney here</p> <p>22 and he referred me to Eamon, and we're here to</p> <p>23 this day to try and find a solution to this</p> <p>24 problem.</p> <p>25 Q Did you take any legal action</p>
<p style="text-align: right;">62</p> <p>1 <b>F. SALEH</b></p> <p>2 (Whereupon, an off-the-record</p> <p>3 discussion was held.)</p> <p>4 A You talking about the first</p> <p>5 paragraph?</p> <p>6 Q First paragraph second sentence.</p> <p>7 Would it be a correct recitation</p> <p>8 of this document to state that in the second</p> <p>9 sentence:</p> <p>10 "The Boi Na Brasa mark has been in</p> <p>11 use at least since July 19, 1999 and the Boi Na</p> <p>12 Brasa and design mark has been in use at least</p> <p>13 since July 7th, 2000."</p> <p>14 Is that a correct recitation of</p> <p>15 that sentence?</p> <p>16 A But I didn't know anything about</p> <p>17 them. I only found out that they existed on</p> <p>18 January 11th, '07.</p> <p>19 Q Is that a correct recitation of that</p> <p>20 sentence?</p> <p>21 A In my opinion, for me Boi Na Brasa</p> <p>22 is with an S.</p> <p>23 Q I understand.</p> <p>24 Yes or no, is that a</p> <p>25 correct recitation of that sentence?</p>	<p style="text-align: right;">64</p> <p>1 <b>F. SALEH</b></p> <p>2 against the people that drafted this letter?</p> <p>3 A The only thing we're doing here</p> <p>4 with the attorneys. I don't know who the owner</p> <p>5 of the restaurant is. I don't know anything</p> <p>6 about that.</p> <p>7 MS. DUBOWY: Can I have a</p> <p>8 short recess, like ten minutes.</p> <p>9 (Whereupon, a brief recess</p> <p>10 was taken.)</p> <p>11 Q Farid, after you received this</p> <p>12 letter in January of 2007, did you take any</p> <p>13 legal action?</p> <p>14 A As I told you, I contacted the</p> <p>15 attorneys and that's what we are here doing.</p> <p>16 Q Are you referring to the</p> <p>17 cancellation proceeding?</p> <p>18 MS. DUBOWY: Objection, leading.</p> <p>19 Q What is it that we're doing here</p> <p>20 today?</p> <p>21 A We're requesting cancellation</p> <p>22 for their brand name because we were working</p> <p>23 before them. We were around before them.</p> <p>24 Q When did you seek to cancel</p> <p>25 their brand name, as you say?</p>

<p style="text-align: right;">65</p> <p>1 F. SALEH</p> <p>2 A After I got this news, I contacted</p> <p>3 the lawyers and then we started immediately</p> <p>4 after receiving the letter, on the first week</p> <p>5 we started.</p> <p>6 Q Farid, to the best of your</p> <p>7 knowledge, has Boi Na Braza, Braza with a Z,</p> <p>8 ever opened a restaurant in New Jersey?</p> <p>9 A No.</p> <p>10 Q To the best of your knowledge,</p> <p>11 has Boi Na Braza, Braza with a Z, ever opened</p> <p>12 a restaurant in New York?</p> <p>13 A No.</p> <p>14 Q Are you aware of any advertisements</p> <p>15 by Boi Na Braza, Braza with a Z, in New Jersey?</p> <p>16 A No.</p> <p>17 Q Are you aware of any advertisements</p> <p>18 by Boi Na Braza, Braza with a Z, in New York?</p> <p>19 A No.</p> <p>20 Q To the best of your knowledge,</p> <p>21 who was the first to use the term Boi Na Braza</p> <p>22 anywhere in the United States?</p> <p>23 MS. DUBOWY: Objection, ambiguous.</p> <p>24 Q To the best of your knowledge, who</p> <p>25 is the first to use the term Boi Na Braza, Braza</p>	<p style="text-align: right;">67</p> <p>1 F. SALEH</p> <p>2 Corp or Gullas Corp use the term Braza with a Z</p> <p>3 or an S, to identify a restaurant located in</p> <p>4 New Jersey?</p> <p>5 A No.</p> <p>6 Q What does the term Boi Na Braza</p> <p>7 mean in English, Braza with an S?</p> <p>8 A Ember.</p> <p>9 Q What does the term Boi Na Braza</p> <p>10 mean in English, Braza with a Z?</p> <p>11 A The correct way to write Braza</p> <p>12 is with an S because S sounds like Z when it's</p> <p>13 between two vowels. So Braza with an S is what</p> <p>14 ember is and Braza with a Z which is used here</p> <p>15 with a Z, is a slang such as I came from Braza.</p> <p>16 I came from Brazil; these slippers come from</p> <p>17 Braza. A lot of things they use the term Braza</p> <p>18 for; where are you from, I'm from Braza.</p> <p>19 Q Has any customer of yours ever</p> <p>20 asked you about a Boi Na Braza restaurant in</p> <p>21 Texas?</p> <p>22 A No.</p> <p>23 Q Has any customer of yours ever</p> <p>24 asked you about a Boi Na Braza restaurant in Ohio?</p> <p>25 A No.</p>
<p style="text-align: right;">66</p> <p>1 F. SALEH</p> <p>2 with a Z or an S, anywhere in the United States?</p> <p>3 A Me, Farid.</p> <p>4 Q Does anyone other than Terra Sul</p> <p>5 currently use the term Boi Na Braza, Braza with</p> <p>6 an S or with a Z, to identify a restaurant located</p> <p>7 in New Jersey?</p> <p>8 A Would you repeat the question,</p> <p>9 please.</p> <p>10 Q Sure.</p> <p>11 Does anyone other than Terra Sul</p> <p>12 currently use the term Boi Na Braza with a Z or</p> <p>13 with an S, to identify a restaurant located in</p> <p>14 New Jersey?</p> <p>15 A Yes.</p> <p>16 Q Who else uses the term Boi Na Braza?</p> <p>17 A Gullas Corp uses it who owns Boi Na</p> <p>18 Braza Bar and Grill, and I'm also the president</p> <p>19 for that restaurant.</p> <p>20 MS. DUBOWY: Did he say</p> <p>21 restaurant or corporation?</p> <p>22 A It's a corporation.</p> <p>23 INTERPRETER: It's the</p> <p>24 interpreter's mistake.</p> <p>25 Q Does anyone other than Terra Sul</p>	<p style="text-align: right;">68</p> <p>1 F. SALEH</p> <p>2 Q Has any customer of yours ever asked</p> <p>3 you about a Boi Na Braza restaurant in Georgia?</p> <p>4 A No.</p> <p>5 Q Now you've testified earlier today,</p> <p>6 Churrascaria Boi Na Braza has catered to New York,</p> <p>7 is that correct?</p> <p>8 A Yes.</p> <p>9 Q Have you ever considered opening</p> <p>10 up a Boi Na Braza restaurant in New York?</p> <p>11 A Yes, I have.</p> <p>12 Q Does Churrascaria Boi Na Braza</p> <p>13 have customers that reside in New York?</p> <p>14 A Uh-hmm, for sure.</p> <p>15 Q Has any New York publication ever</p> <p>16 written a review of Churrascaria Boi Na Braza?</p> <p>17 A Yes.</p> <p>18 MR. CLARK: I'd like to</p> <p>19 introduce Exhibit Number 22.</p> <p>20 MS. DUBOWY: Was this produced?</p> <p>21 MR. CLARK: That was given</p> <p>22 to your counsel the day that they</p> <p>23 sent the letter.</p> <p>24 MS. DUBOWY: But it</p> <p>25 was not produced.</p>

<p style="text-align: right;">69</p> <p>1 F. SALEH</p> <p>2 MR. CLARK: It's been produced,</p> <p>3 it just didn't have a Bates number on it.</p> <p>4 It was produced even before discovery</p> <p>5 started. They have an e-mail from</p> <p>6 January 2007 attached to that.</p> <p>7 MS. DUBOWY: All right.</p> <p>8 (Whereupon, a seven-page</p> <p>9 document was marked as Plaintiff's</p> <p>10 Exhibit Number 22 for identification</p> <p>11 as of this date.)</p> <p>12 Q Farid, have you seen this</p> <p>13 document before?</p> <p>14 A Yes, I have.</p> <p>15 Q What is the Village Voice?</p> <p>16 A It's a small newspaper published</p> <p>17 in New York. It's also for the community.</p> <p>18 Q What is this document?</p> <p>19 A It's information material for</p> <p>20 the community and everything, food, you know.</p> <p>21 As you can see, there's web sites,</p> <p>22 everything here.</p> <p>23 Q Does Churrascaria Boi Na Brasa</p> <p>24 have a marketing presence in New York?</p> <p>25 MS. DUBOWY: Objection, ambiguous.</p>	<p style="text-align: right;">71</p> <p>1 F. SALEH</p> <p>2 Q What kind of documents were these;</p> <p>3 were these the corporate documents that you have?</p> <p>4 A Yes.</p> <p>5 Q Did you give to your attorneys</p> <p>6 all the documents that you reviewed?</p> <p>7 A All I did was ask their opinion.</p> <p>8 Q The documents that you reviewed in</p> <p>9 order to prepare for our meeting today, did you</p> <p>10 give them to your attorney for them to review</p> <p>11 and comply with their obligations to produce</p> <p>12 documents?</p> <p>13 INTERPRETER: Could you repeat that.</p> <p>14 (Whereupon, the requested</p> <p>15 portion of the record was read back</p> <p>16 by the reporter, as above recorded.)</p> <p>17 A I don't understand your question.</p> <p>18 I don't understand this question.</p> <p>19 Q My question is:</p> <p>20 Did you give all the documents</p> <p>21 you reviewed in connection with this proceeding</p> <p>22 to your attorneys?</p> <p>23 A All documents connected to</p> <p>24 these proceedings here, I provided to them.</p> <p>25 Q And there is nothing else, right?</p>
<p style="text-align: right;">70</p> <p>1 F. SALEH</p> <p>2 Q Does Churrascaria Boi Na Brasa</p> <p>3 advertise in New York?</p> <p>4 A Yes.</p> <p>5 Q Does Churrascaria Boi Na Brasa</p> <p>6 advertise in Connecticut?</p> <p>7 A Yes.</p> <p>8 MR. CLARK: I have no</p> <p>9 further questions.</p> <p>10 (Whereupon, at 1:00 p.m. a</p> <p>11 brief recess was taken and at 1:53 p.m.</p> <p>12 the deposition recommenced.)</p> <p>13 CROSS EXAMINATION</p> <p>14 BY MS. DUBOWY:</p> <p>15 Q Good afternoon, Mr. Farid Saleh.</p> <p>16 May I say Farid or Saleh?</p> <p>17 A Farid.</p> <p>18 Q Farid, did you review any</p> <p>19 documents from the time we finished here</p> <p>20 today at 1 o'clock to now?</p> <p>21 A No.</p> <p>22 Q Did you review any documents</p> <p>23 from our last meeting in March to now, in</p> <p>24 connection to this proceeding?</p> <p>25 A Yes.</p>	<p style="text-align: right;">72</p> <p>1 F. SALEH</p> <p>2 A For now, no.</p> <p>3 Q Okay. You testified earlier</p> <p>4 today that you created with a friend, Paulo,</p> <p>5 Churrascaria Brasa Corp, right; Boi Na Brasa Corp,</p> <p>6 correct?</p> <p>7 A Correct.</p> <p>8 Q You did, right?</p> <p>9 A Yes.</p> <p>10 Q And that was in '96?</p> <p>11 A We started to think about</p> <p>12 the Churrascaria since '95, I started.</p> <p>13 Q And then you eventually formed</p> <p>14 Churrascaria Boi Na Brasa Corp in '96, correct?</p> <p>15 A In '96, correct.</p> <p>16 Q And the document that was marked</p> <p>17 as Exhibit Number 1, that's the document that</p> <p>18 shows the creation of the corporation, right?</p> <p>19 MR. CLARK: Objection, form.</p> <p>20 MS. DUBOWY: What's your basis?</p> <p>21 MR. CLARK: It doesn't show the</p> <p>22 creation. The document only indicates</p> <p>23 that it has been incorporated.</p> <p>24 Q And registered the corporation</p> <p>25 in '96, correct?</p>

<p style="text-align: right;">85</p> <p>1 F. SALEH</p> <p>2 MR. CLARK: -- I have a fair</p> <p>3 objection I want to get on the record.</p> <p>4 Q You testified here earlier</p> <p>5 today that this was the first time that</p> <p>6 Terra Sul Corporation received this</p> <p>7 Certificate of Authority.</p> <p>8 MR. CLARK: Objection,</p> <p>9 mischaracterizes previous testimony.</p> <p>10 MS. DUBOWY: Read back the question.</p> <p>11 (Whereupon, the requested</p> <p>12 portion of the record was read back</p> <p>13 by the reporter, as above recorded.)</p> <p>14 Q You said earlier today that you</p> <p>15 thought that Exhibit 20 was the first time the</p> <p>16 company was issued a Certificate of Authority,</p> <p>17 your company being Terra Sul Corporation.</p> <p>18 Are there any documents that, if</p> <p>19 I show to you, would refresh your recollection</p> <p>20 as to that was the first time you received</p> <p>21 Certificate of Authority for Terra Sul</p> <p>22 Corporation?</p> <p>23 A You can show it to me.</p> <p>24 Q You don't remember that Terra Sul</p> <p>25 Corporation was issued a Certificate of Authority</p>	<p style="text-align: right;">87</p> <p>1 F. SALEH</p> <p>2 signed on your own individual behalf?</p> <p>3 A When I bought the company</p> <p>4 Boi Na Brasa, when I did the business of buying</p> <p>5 it, this Promissory Note was the purchase that we</p> <p>6 made, the real estate purchase. So I owed</p> <p>7 \$13,000. So we made a deal, he and I, that</p> <p>8 I would pay monthly installments without</p> <p>9 any interest.</p> <p>10 Q Who did you have to pay?</p> <p>11 A To the owner of the restaurant</p> <p>12 that we were buying.</p> <p>13 Q You testified earlier today that</p> <p>14 you, Farid, used the term Boi Na Brasa in the</p> <p>15 United States before my client, isn't it?</p> <p>16 A Yes.</p> <p>17 Q You also said that Gullas</p> <p>18 Corporation and Terra Sul Corporation</p> <p>19 currently use the Boi Na Brasa mark?</p> <p>20 A Yes.</p> <p>21 Q Do you have any documents that</p> <p>22 shows that you gave permission for those two</p> <p>23 companies to use the mark, Boi Na Brasa mark?</p> <p>24 A The two companies are my company.</p> <p>25 Q You testified earlier today that --</p>
<p style="text-align: right;">86</p> <p>1 F. SALEH</p> <p>2 before August 27, 2002?</p> <p>3 A I don't remember. All I know</p> <p>4 is we paid taxes every month, every month.</p> <p>5 We never stopped paying them.</p> <p>6 MS. DUBOWY: If there are any</p> <p>7 documents that show that you received</p> <p>8 the Certificate of Authority for</p> <p>9 Terra Sul Corporation before August 27,</p> <p>10 2002, we would like to see them.</p> <p>11 Q Now I'm going to show you another</p> <p>12 document that you were shown today. I'm showing</p> <p>13 you Exhibit Number 3. I'm going to direct your</p> <p>14 attention to the second page of the exhibit.</p> <p>15 Can you tell us, this is a</p> <p>16 Promissory Note, right?</p> <p>17 A Yes.</p> <p>18 Q And it's dated March 22nd, 1996?</p> <p>19 A Yes.</p> <p>20 Q And it's for \$13,000?</p> <p>21 A Yes.</p> <p>22 Q And it's signed by you?</p> <p>23 A Yes.</p> <p>24 Q You signed this note on behalf</p> <p>25 of the company, on behalf of a company or you</p>	<p style="text-align: right;">88</p> <p>1 F. SALEH</p> <p>2 let's go back here actually.</p> <p>3 MS. DUBOWY: Read back the question.</p> <p>4 (Whereupon, an extensive portion</p> <p>5 of the record was read back by the</p> <p>6 reporter, as above recorded.)</p> <p>7 Q You testified earlier today that</p> <p>8 Boi Na Brasa catered an event for a relative of</p> <p>9 the owner of the Hotel Madrid in New York, yes?</p> <p>10 A Hotel Madrid is located in</p> <p>11 New Jersey, Wildwood.</p> <p>12 Q That was not my question.</p> <p>13 A The person I did the event for,</p> <p>14 she lives in New York. I only mentioned her</p> <p>15 because I met her. She's part of the family</p> <p>16 of the owner of the Hotel Madrid which was</p> <p>17 sold just recently.</p> <p>18 Q So you testified earlier today</p> <p>19 that a relative of Hotel Madrid had a catered</p> <p>20 event by you, by Boi Na Brasa in New York?</p> <p>21 A In New York, yes.</p> <p>22 Q I'm going to direct your attention</p> <p>23 to your deposition from March of this year.</p> <p>24 Do you need a transcript?</p> <p>25 MR. CLARK: I don't have a</p>

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1 F. SALEH  
2 copy of it.  
3 Q When I asked then whether you had  
4 catered events in New York your answer was no, and  
5 I'm going to give you the opportunity to explain  
6 now why the answer is different. It's on page 34,  
7 line 5 of your deposition.  
8 Reading from his deposition  
9 in March 2008:  
10 "Q. What other activities  
11 have you done in New York, not  
12 necessarily advertising, have  
13 you done any kind of events in  
14 New York, what exactly have  
15 you done in New York, like  
16 catering?  
17 A. The large Brazilian  
18 party that they have on  
19 46th Street in New York.  
20 Q. What did you do there?  
21 A. Gave out flyers and  
22 T-shirts as well.  
23 Q. Since when have you  
24 been doing this?  
25 A. I only did this for

90

1 F. SALEH  
2 two years.  
3 Q. Which years were these?  
4 A. We did it in 2005 or 6,  
5 I think 2005 and 2006.  
6 Q. And you haven't done  
7 it since then?  
8 A. No.  
9 Q. Why not?  
10 A. We just decided to stop it.  
11 It wasn't profitable, it was not  
12 the kind of people -- actually,  
13 because this always happens on  
14 a Sunday which is a busy day for  
15 us here, there is a lot of work  
16 here for us. So I stopped doing  
17 it and I decided instead to just  
18 take care of my restaurant here."  
19 He can go now and explain the  
20 contradictions between the two testimonies.  
21 A Okay. First of all, there's no  
22 contradiction. This 46th Street festival which  
23 is out, and it's going to be out again this year,  
24 this is an opportunity for everyone to see  
25 Brazilian bands. Nobody pays to go there.

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1 F. SALEH  
2 It's a lot of people, almost one million people.  
3 That time when I said this, I went there to give  
4 out T-shirts and flyers as I said. When I said  
5 that I went to New York, I went to make money on  
6 this catering event, at this party at a house, at  
7 a house in New York. I went there because this  
8 person Linda, her name is Linda, who owned Madrid  
9 Hotel in Wildwood, I had been doing events for  
10 her for three years. She liked Brazil a lot.  
11 She had been to Brazil. So there was a party  
12 with Brazilians and Americans. It was a soccer  
13 game so later when she decided to sell the hotel  
14 and to retire the following year, I received a  
15 call from a member of that family to see if I can  
16 do catering at their house.  
17 Q Yeah, but my question was a little  
18 different. When I asked whether you had done  
19 events like catering in New York before, you  
20 didn't respond; you didn't say that you had done  
21 this event, why is that?  
22 A I might not have remembered  
23 this one.  
24 May I say something?  
25 MS. DUBOWY: Can you read

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1 F. SALEH  
2 the last question.  
3 (Whereupon, the requested  
4 portion of the record was read back  
5 by the reporter, as above recorded.)  
6 Q Why is that, that's the question  
7 to you.  
8 INTERPRETER: Please let  
9 the reporter repeat.  
10 (Whereupon, the requested  
11 portion of the record was read back  
12 by the reporter, as above recorded.)  
13 A Well, first of all, I don't have  
14 anything to hide. Events, large events that I  
15 held in the Brazilian party --  
16 Q -- that was not my question.  
17 A So what is your question?  
18 MS. DUBOWY: Can you read  
19 the question back to him.  
20 (Whereupon, the requested  
21 portion of the record was read back  
22 by the reporter, as above recorded.)  
23 A I didn't think it was important.  
24 It's the same thing when September 11 happened,  
25 we donated food for people who were assisting



<p style="text-align: right;">93</p> <p>1 <b>F. SALEH</b></p> <p>2 <b>there and I don't have to mention that.</b></p> <p>3 Q Does Terra Sul own</p> <p>4 Gullas Corporation?</p> <p>5 <b>A Gullas is one company, Terra Sul</b></p> <p>6 <b>is another company and I'm the president for</b></p> <p>7 <b>both companies.</b></p> <p>8 Q But does Gullas Corporation</p> <p>9 own Terra Sul Corporation?</p> <p>10 <b>A I said that they are two</b></p> <p>11 <b>different companies and that I own both.</b></p> <p>12 Q Individually, you own the shares?</p> <p>13 <b>A Yes.</b></p> <p>14 Q Does either of these two</p> <p>15 corporations have any other shareholders</p> <p>16 besides yourself?</p> <p>17 <b>A My wife but I'm the owner.</b></p> <p>18 Q So besides you and your wife,</p> <p>19 there are no other shareholders?</p> <p>20 <b>A No.</b></p> <p>21 MS. DUBOWY: No further questions.</p> <p>22 REDIRECT EXAMINATION</p> <p>23 BY MR. CLARK:</p> <p>24 Q Farid, when she asked you about</p> <p>25 your previous deposition testimony, her question</p>	<p style="text-align: right;">95</p> <p>1 <b>F. SALEH</b></p> <p>2 <b>A I don't even know what the question</b></p> <p>3 <b>is because I can't even read this; where is it?</b></p> <p>4 <b>Should I read that in English?</b></p> <p>5 Q You can translate it back to her</p> <p>6 and she can read it in English.</p> <p>7 <b>A She had asked if I had done any</b></p> <p>8 <b>catering or advertisements in New York, correct?</b></p> <p>9 Q Correct. And what was your exact</p> <p>10 answer?</p> <p>11 <b>A Yes.</b></p> <p>12 Q What was your exact answer?</p> <p>13 WITNESS: Giving out flyers</p> <p>14 and T-shirts as well.</p> <p>15 Q The answer before that?</p> <p>16 WITNESS: "The large Brazilian party</p> <p>17 that they have on 46th Street in New York."</p> <p>18 Q After you gave this answer to her,</p> <p>19 did she at any time ask you what else did you do</p> <p>20 in New York?</p> <p>21 <b>A No.</b></p> <p>22 Q Did you at any time testify in March</p> <p>23 of this year, that that was the only thing you did</p> <p>24 in New York?</p> <p>25 <b>A No.</b></p>
<p style="text-align: right;">94</p> <p>1 <b>F. SALEH</b></p> <p>2 from March was:</p> <p>3 "What other activities have you</p> <p>4 done in New York, not necessarily advertising,</p> <p>5 have you done any kind of events in New York,</p> <p>6 what exactly have you done in New York, like</p> <p>7 catering?"</p> <p>8 Is that correct?</p> <p>9 <b>A Correct.</b></p> <p>10 <b>Where is it; okay.</b></p> <p>11 Q Is that correct?</p> <p>12 <b>A Correct.</b></p> <p>13 Q What was your answer?</p> <p>14 MS. DUBOWY: Are you going</p> <p>15 to ask him to read from the transcript?</p> <p>16 MR. CLARK: From the transcript.</p> <p>17 <b>A The answer that I gave her for</b></p> <p>18 <b>this question that she posed, I mentioned this</b></p> <p>19 <b>festival because it's what came to my mind, what</b></p> <p>20 <b>I remembered at that time.</b></p> <p>21 MS. DUBOWY: Objection. I</p> <p>22 was under the impression that you</p> <p>23 want him to read from the transcript?</p> <p>24 MR. CLARK: Right.</p> <p>25 Can you read back exactly.</p>	<p style="text-align: right;">96</p> <p>1 <b>F. SALEH</b></p> <p>2 Q Farid, do you have accountants?</p> <p>3 <b>A Yes, I do.</b></p> <p>4 Q Do you have lawyers?</p> <p>5 <b>A Yes.</b></p> <p>6 Q Do they give you advice on</p> <p>7 establishing and opening your business?</p> <p>8 <b>A I don't understand your question.</b></p> <p>9 Q Do your lawyers or accountants</p> <p>10 ever give you advice on establishing or opening</p> <p>11 your business?</p> <p>12 <b>A I believe that if I ask them</b></p> <p>13 <b>they will give me the information.</b></p> <p>14 Q Do they give you any advice</p> <p>15 on operating your business?</p> <p>16 <b>A No.</b></p> <p>17 Q Do you follow the advice of</p> <p>18 your accountants and lawyers?</p> <p>19 <b>A If I follow their advice?</b></p> <p>20 Q Do you follow their advice</p> <p>21 when they give it?</p> <p>22 <b>A If they provide advice, I follow</b></p> <p>23 <b>them.</b></p> <p>24 Q Are you a lawyer?</p> <p>25 <b>A No.</b></p>

<p style="text-align: right;">101</p> <p style="text-align: center;">ACKNOWLEDGMENT</p> <p>STATE OF NEW YORK }                                      } ss.:        COUNTY OF NEW YORK }</p> <p>I, FARID SALEH, hereby certify, I have read the transcript of my testimony taken under oath in my deposition of August 7th, 2008; that the transcript is a true, complete and correct record of what was asked, answered and said during this deposition, and that the answers on the record as given by me are true and correct.</p> <p style="text-align: center;">_____        FARID SALEH</p> <p>Subscribed and sworn to before me        this ____ day of _____, 2008.</p> <p style="text-align: center;">_____        NOTARY PUBLIC</p> <p style="text-align: center;">OOO</p> <p style="text-align: center;">U.S. LEGAL SUPPORT, INC.</p>	<p style="text-align: right;">103</p> <p style="text-align: center;">EXHIBITS</p> <table border="1"> <thead> <tr> <th>PLAINTIFF'S EXHIBITS/DESCRIPTION</th> <th>PAGE</th> </tr> </thead> <tbody> <tr> <td>Ex. 1 - Copy of Certificate of Incorporation.</td> <td>7 - 8</td> </tr> <tr> <td>Ex. 2 - Copy of Certificate of Authority. Bates stamp TS001087</td> <td>9</td> </tr> <tr> <td>Ex. 3 - Offer to Purchase Real Estate. Bates stamp TS000017</td> <td>12</td> </tr> <tr> <td>Ex. 4 - (Withdrawn from the record.)</td> <td>16</td> </tr> <tr> <td>Ex. 5 - Copy of a check dated May 6, 1997 made out to Newark Adams. Bates stamp TS000373-TS000374</td> <td>21</td> </tr> <tr> <td>Ex. 6 - Commercial General Liability, Colonial Insurance Company. Bates stamp TS000350-TS000361</td> <td>22</td> </tr> <tr> <td>Ex. 7 - Commercial General Liability, Colonial Insurance Company. Bates stamp TS000393</td> <td>24</td> </tr> <tr> <td>Ex. 8 - Prudential Insurance and Financial Services. Bates stamp TS000317-TS000342</td> <td>25</td> </tr> <tr> <td>Ex. 9 - American Equity Insurance Company. Bates stamp TS000267-TS000306.</td> <td>28</td> </tr> <tr> <td>Ex. 10 - Four-page business checking account statement from PNC Bank, New Jersey, for Churrascaria Boi Na Brasa Corp. Marked "CONFIDENTIAL" Bates stamp TS000247-TS000250</td> <td>30</td> </tr> <tr> <td>Ex. 11 - Two-page business checking account statement from PNC Bank, New Jersey, for Churrascaria Boi Na Brasa Corp. Marked "CONFIDENTIAL" Bates stamp TS000379-TS000380</td> <td>31</td> </tr> </tbody> </table> <p style="text-align: center;">U.S. LEGAL SUPPORT, INC.</p>	PLAINTIFF'S EXHIBITS/DESCRIPTION	PAGE	Ex. 1 - Copy of Certificate of Incorporation.	7 - 8	Ex. 2 - Copy of Certificate of Authority. Bates stamp TS001087	9	Ex. 3 - Offer to Purchase Real Estate. Bates stamp TS000017	12	Ex. 4 - (Withdrawn from the record.)	16	Ex. 5 - Copy of a check dated May 6, 1997 made out to Newark Adams. Bates stamp TS000373-TS000374	21	Ex. 6 - Commercial General Liability, Colonial Insurance Company. Bates stamp TS000350-TS000361	22	Ex. 7 - Commercial General Liability, Colonial Insurance Company. Bates stamp TS000393	24	Ex. 8 - Prudential Insurance and Financial Services. Bates stamp TS000317-TS000342	25	Ex. 9 - American Equity Insurance Company. Bates stamp TS000267-TS000306.	28	Ex. 10 - Four-page business checking account statement from PNC Bank, New Jersey, for Churrascaria Boi Na Brasa Corp. Marked "CONFIDENTIAL" Bates stamp TS000247-TS000250	30	Ex. 11 - Two-page business checking account statement from PNC Bank, New Jersey, for Churrascaria Boi Na Brasa Corp. Marked "CONFIDENTIAL" Bates stamp TS000379-TS000380	31
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U.S. LEGAL SUPPORT - HOUSTON  
713-653-7100

C E R T I F I C A T E

STATE OF NEW YORK     )

COUNTY OF NEW YORK    )

I, MADELINE RODRIGUEZ, a Shorthand Reporter  
and Notary Public for the State of New York, do  
hereby certify that FARID SALEH, the witness whose  
EXAMINATION BEFORE TRIAL was held on August 7th, 2008,  
as hereinbefore set forth, was duly sworn by me, and  
that this transcript of such examination is a true and  
accurate record of the testimony given by such witness.

I further certify that I am not related to any of  
the parties to this action by blood or by marriage and  
that I am in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have hereunto set my hand  
this 11th day of August, 2008.

  
MADELINE RODRIGUEZ

## DEPOSITION OF FARID SALEH - 8/7/2008

106

U.S. LEGAL SUPPORT, INC.  
 ONE PENN PLAZA, NEW YORK, N.Y. 10119  
 (212) 759-6014 (212) 759-6155 fax

DATE: August 7, 2008  
 DEPOSITION: Terra Sul Corp vs. Boi Na Brasa, Inc.  
 DEPONENT: Farid Saleh.

PAGE	LINE(S)	CHANGE	REASON
62	10	"BRASA" should be	
		"BRAZA"	Transcription error
62	12	"BRASA" should be	
		"BRAZA"	Transcription error
63	12	"BRAZA" should be	
		"BRASK"	Transcription error

  
 FARID SALEH

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 4<sup>th</sup> DAY OF September 2008.

NOTARY PUBLIC

ROSA PEREIRA  
 A Notary Public of New Jersey  
 My Commission Expires 10/28/08

MY COMMISSION EXPIRES: \_\_\_\_\_

U.S. LEGAL SUPPORT, INC.

U.S. LEGAL SUPPORT - HOUSTON  
 713-653-7100

ORIGINAL

Cancellation No. 92047056

*Terra Sul Corporation v. Boi Na Brasa, Inc.*

**EXHIBIT NO. 15**

Offered by Terra Sul Corporation

**Fittipaldi se recupera e já está em casa**

Página 13

**Computador da Mir volta a quebrar**

Página 4

**Maradona ameaça parar de jogar**

Página 14

# BRAZILIAN PRESS

Ano 1

17 a 23 - Setembro de 1997

Número 2

Distribuição Gratuita



## Vera Fischer

A atriz internou-se, na tarde de terça-feira, na Clínica Solar do Rio de Janeiro, um centro de recuperação para dependência química.

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## Senado aprova nova lei sobre o assédio sexual

Página 6



Senadora Benedita da Silva: A autora do projeto de lei

## Esportes:

**Brasil é semi-finalista no Mundial Sub-17**

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**Brasil é campeão mundial de vôlei de praia**

Página 14

## Locais:

**Ameaçada a construção do estádio no Ironbound**

Página 11

**Remédios para emagrecer são banidos do mercado**

Página 10

PLAINTIFF'S  
EXHIBIT

15

NR 9/1/02



# Falta o óleo

Pastor Darcy Caires Jr

Certa vez, deixei meu carro emprestado com um colega que estava em dificuldades, a única responsabilidade dele era chocar sempre o óleo. Passados vários dias, o carro foi devolvido. Observando o óleo, notei que quase não havia nenhum! O carro sobreviveu, mas quem sabe, você conhece alguém que por um singelo descuido, uma falta de óleo por algumas milhas, teve um grande prejuízo com o motor!

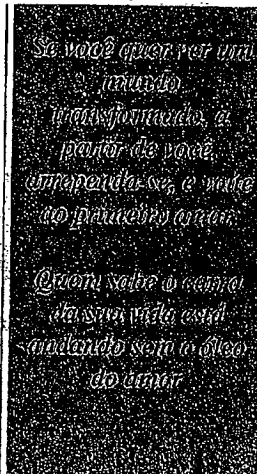
Nos últimos dias estava refletindo sobre uma cidade do Novo Testamento chamada Éfeso. O apóstolo Paulo visitou este local, anunciou o "gospel", o evangelho, as boas novas da salvação e deixou um casal chamado Áquila e Priscila na cidade. Eles encontraram um homem chamado Apolo, pregador, "tomaram-no consigo e, com mais exatidão, lhe expuseram o caminho de Deus", animando-o a percorrer outras áreas com essa mensagem!

Anos depois, Paulo volta a Éfeso e diariamente começa a falar às pessoas a respeito do grande amor de Deus, e

de Seu Filho, Jesus Cristo. Ele mostra princípios básicos de vida, abençoa doentes, liberta pessoas dominadas por demônios, enfim, anuncia toda a vontade de Deus para os moradores e visitantes daquela cidade, por um período de mais de dois anos. Isto aconteceu provavelmente por volta dos anos 60 do calendário cristão.

Como Paulo tinha um espírito descobridor e grandes alvos no seu ministério pastoral e missionário, ele resolveu partir. Marcou uma reunião com seus líderes que é descrita de maneira calorosa no Livro dos Atos dos Apóstolos, capítulo 20. Conseguimos ver um real amor, um compromisso de amizade sincera, por parte deste grande líder.

Neste encontro ele lembra aqueles presbíteros do seu caráter e que mesmo em meio a angústias, tribulações, lágrimas e até ciladas, nunca deixou de anunciar o caminho da salvação. Paulo conhece o Deus Todo Poderoso, e as circunstâncias difíceis não eram motivo para que ele deixasse de acreditar de dizer a



mensagem que Deus havia dado a ele. Ele mostra que havia ensinado o povo usando métodos diferentes de abordar pessoas, tanto publicamente como de casa em casa. Ele destaca o fato que não fazia aceção de pessoas, isto é, todas eram importantes para ele, independente de quem eram!

Algo fantástico é que a mensagem era sempre cristalina: o "arrependimento para com Deus é a fé em nosso Senhor Jesus Cristo".

Neste mesmo encontro ele disse aos pastores e bispos que o Espírito Santo os havia constituído, para que cuidassem da igreja de Deus que Jesus Cristo havia comprado com o seu próprio sangue! Paulo alertou ainda, que depois da sua partida lobos entrariam no rebanho, falando coisas perversas, tentando enganar os irmãos.

Depois deste encontro, muitos anos se passaram, 30 ou 40 anos! E no livro do Apocalipse, mais uma vez, a Igreja da cidade de Éfeso é lembrada por Jesus Cristo. No capítulo 2, ele faz vários elogios, pois o povo permaneceu firme nas doutrinas bíblicas mesmo com perseguições, angústias e crises. Jesus, porém, afirma que tinha algo contra aqueles cristãos de Éfeso! "Tenho, porém, contra ti que abandonaste o teu primeiro amor". Estava faltando o óleo do amor! A singeleza dos primeiros dias, aquele calor gostoso, aquela vontade de viver, de trabalhar, de cantar. Nos faz lembrar da força da paixão, que se não for transformada em amor, logo desaparece... Faltava aquele prazer de ser um discípulo do Mestre, de atuar

nas atividades da igreja com uma sinceridade agradável, descontraída, cheia de satisfação!

"Agora, pois, permaneçam a fé, a esperança e o amor, estes três; porém o maior destes é o amor". "E ainda que eu distribua todos os meus bens entre os pobres, e ainda que entregue meu corpo para ser queimado, se não tiver amor, nada disso me aproveitará" (1 Cor 13). As vezes vivemos no dia a dia apenas sobrevivendo! Vamos, a partir de hoje, ter um novo parâmetro para nossas vidas!

Jesus foi direto ao ponto que carecia de transformação! Como anda o seu interior? Como vai o seu "amor"? Não estamos falando agora do amor na amizade, no amor sexual no casamento, no amor de preservar nossas vidas; estamos falando da essência do amor, do amor verdadeiro, o amor incondicional, o amor que não busca interesses, o amor que busca o melhor do próximo, o amor que é transbordante mesmo sem receber o retorno!

Só possui este amor quem primeiramente foi impactado com esse mesmo tipo de amor. A Bíblia afirma que nós amamos, pois Deus nos amou primeiro! O desafio é que a partir de hoje, nossos atos sejam feitos com amor!

Os Dez Mandamentos podem ser resumidos em amar a Deus sobre todas as coisas e ao nosso próximo como a nós mesmos! Vamos revolucionar este mundo! Busque a Deus de todo seu coração, ame sua família: esposa, marido, filhos, de prioridade para eles, ame seus pais! Ame sua igreja, seus pastores, líderes, irmãos na fé! Ame seus vizinhos e companheiros de trabalho. Ame o seu país, o país no qual você vive! Ame até seus inimigos! Faça isso, não de maneira simplista, mas seguindo os princípios e estilo de vida do nosso Mestre e Senhor Jesus Cristo! Se você quer ver um mundo transformado, a partir de você, arrependa-se, e volte ao primeiro amor. Quem sabe o carro da sua vida está andando sem o óleo do amor, e hoje é o dia da restauração, hoje é o dia do arrependimento! Jesus disse: "Vinde a mim todos os que estais cansados e sobrecarregados, e eu vos aliviarei". Mai 11:28.

Rev. Darcy Caires Jr.  
Pastor da Comunidade Cristã  
Presbiteriana em Mineola - NY

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**Classificados:**  
Empregos, Aluguéis,  
Compra, Venda, Etc

Páginas 48 & 49

**Sem-terra ameaçam invadir  
fazenda de FHC**

Manifestantes exigem que o Incra libere R\$ 3 milhões

Página 10

# BRAZILIAN PRESS

**Grátis**

Ano 3

Quarta-feira - 17 de Novembro de 1999

Número 163

## BAUA: MOMENTO DE DECISÃO



Evandro Saramago atual  
Presidente da BAUA

*Presidente da associação diz que falta  
apoio da comunidade*

*Nenhum candidato inscrito às  
vésperas das eleições*

*O que pensa a comunidade sobre a  
associação*

Páginas 24 e 25

**Pai desesperado busca  
tratamento para o  
filho nos E.U.A.**

Página 16



Vitor de 5 anos sofre de  
Cerebral Palsy

### ESPORTES

FLAMENGO CONFIRMA SAÍDA DE  
ROMÁRIO

ATLÉTICO VENCE E CRUZEIRO RECLAMA  
DA ARBITRAGEM

GUGA PODE SER O 4º TENISTA DO MUNDO

Páginas 44 a 47

### LOCAIS

DIRETOR DE ESCOLA BRASILEIRA  
BRILHA NO PROGRAMA CRISTINA

ATIVISTA POLÍTICA BRASILEIRA É  
HOMENAGEADA POR JORNAL HISPANO

EMANUELA LIMA MOSTRA FINA ARTE  
NA ONU

Páginas 10 a 38

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Voto online será testado em 2000 nos EUA.

A próxima eleição presidencial nos EUA, no ano 2000, testará o uso da Internet para votação política. Em dois estados americanos, Arizona e Idaho, o Partido Democrata usará a rede para eleições primárias. Também o governo dos EUA permitirá o voto online de 350 militares em serviço fora do país.

A notícia é da Reuters.

As vantagens dos votos via Internet é a rapidez da apuração, a comodidade para os eleitores e o aumento da participação popular num país onde votar não é obrigação. As desvantagens, apontadas pelos críticos recaem sobre a segurança. Hackers poderiam alterar o resultado de uma eleição ou, no mínimo, saber

quem está votando em quem, quebrando assim a privacidade do voto.

#### Novo Lançamento

A empresa americana General Motors lançou seu primeiro carro equipado com Internet, que o motorista poderá consultar sem perigo graças a um programa que reconhece a voz. Os usuários terão acesso à atualidade, aos resultados esportivos, à bolsa e ao correio eletrônico graças a uma conexão móvel.

Não há telas nem nenhum elemento que possa distrair a atenção do motorista, frisou a GM em um comunicado publicado em Las Vegas (Nevada). O sistema, apresentado em um Cadillac Seville modelo 2000, se aproveita do já existente computador para carros Onstar, da GM. Onstar conta com cerca de 100.000

assinantes e serão fabricados anualmente mais de um milhão de veículos equipados com este sistema.

A GM prevê desenvolver os serviços Internet disponíveis em seus carros, como por exemplo a possibilidade de ouvir música graças à tecnologia MP3, ou ouvir rádio com uma conexão de satélite.

[www.dialdata.com.br/lucianascotti](http://www.dialdata.com.br/lucianascotti). Não deixe de visitar o site e ler os livros de Luciana Scotti, uma garota que, aos 22 anos, sofreu um acidente vascular cerebral (AVC). Como consequência, perdeu a voz e tornou-se tetraplégica.

Não por acaso, a vida lhe conservou o movimento de um dedo na mão esquerda, com o qual ela se comunica com o mundo. Uma excelente oportunidade para o leitor entender que o importante no ser humano não é o lay-out, mas o infinito potencial de sua alma.

#### Mopitor Dobrável.

Pesquisadores da IBM anunciaram esta semana a criação de um transistor flexível que poderá ser utilizado para a criação de equipamentos flexíveis, como uma tela de computador que pode ser enrolada ou um jornal eletrônico.

A tecnologia é de baixo custo e

utiliza finas camadas de material depositadas em plástico.

[www.noitescariocas.com.br](http://www.noitescariocas.com.br). Não há muitos lugares no mundo tão bons para se divertir como o Rio de Janeiro.

Também não há melhor fonte de informação no mundo que a Internet.

Pois, então: antes de meter o pé na jaca, consulte o Noitescariocas.com.br.

Tem sugestões de restaurantes, bares, pizzarias, cyber bares, livrarias, quiosques, etc e tal.

#### WWW:

- 1) Sociedade Esportiva Palmeiras: [www.palmeiras.com.br](http://www.palmeiras.com.br)
- 2) Santos F.C.: [www.lbm.com.br/santosfc](http://www.lbm.com.br/santosfc)
- 3) Esporte Clube Vitória: [www.ecvitoria.com.br](http://www.ecvitoria.com.br)
- 4) Santa Cruz Futebol Club: [www.santacruz.esp.br](http://www.santacruz.esp.br) ou [www2.netpe.com.br/users/coralsnetsanta.html](http://www2.netpe.com.br/users/coralsnetsanta.html)
- 5) Atlético: [www.atletico.com.br](http://www.atletico.com.br)
- 6) Cruzeiro: [www.cruzeiro.com.br](http://www.cruzeiro.com.br)
- 7) Flamengo: [www.flamengo.com.br](http://www.flamengo.com.br)
- 8) Botafogo: [www.botafogo.com.br](http://www.botafogo.com.br)
- 9) [www.digital10.cjb.net](http://www.digital10.cjb.net)
- 10) [www.rededenegocios.inf.br](http://www.rededenegocios.inf.br)
- 11) [www.trf-rj.gov.br](http://www.trf-rj.gov.br)
- 10) [www.fly2k.dot.gov](http://www.fly2k.dot.gov)
- 13) [www.reccita.fazenda.gov.br/](http://www.reccita.fazenda.gov.br/)
- 14) [www.hungersite.com](http://www.hungersite.com)



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**O BRASIL EM SUAS MÃOS**

Cancellation No. 92047056

*Terra Sul Corporation v. Boi Na Brasa, Inc.*

**EXHIBIT NO. 16**

Offered by Terra Sul Corporation

HOLD HARMLESS AND INDEMNITY AGREEMENT

IT IS HEREBY AGREED BY AND BETWEEN THE TRUMP TAJ MAHAL CASINO RESORT,  
1000 Boardwalk At Virginia Avenue, in the County of Atlantic state of  
New Jersey,

and

CHURRASCHARIA BOI NA BRASA, the Vendor/Processor, whose address is  
70 Adam Street, in the County of Essex in the state of New Jersey,  
that:

CHURRASCHARIA BOI NA BRASA hereby agrees to indemnify and save  
harmless THE TRUMP TAJ MAHAL CASINO RESORT from and against  
any and all losses, liabilities, costs, expenses, libels,  
suits, actions, claims and other obligations and proceedings  
whatsoever, including, without limitation, all judgments  
rendered against, and fines or penalties imposed upon THE  
TRUMP TAJ MAHAL CASINO RESORT and any reasonable attorney's  
fees and other expenses, incurred in connection therewith,  
which, directly or indirectly, may be payable, caused by,  
attributable to, arise by virtue of, or result from actual or  
alleged (i) consumption or use of any food or grocery product  
sold or distributed to or through indemnitee which was  
prepared and distributed by CHURRASCHARIA BOI NA BRASA  
(ii) breach of any guaranty, specification or warranty, express  
or implied, as to the quality or kind of any such product,  
related to raw materials, manufacture, production processing,  
packaging, packing, sealing, storage or delivery.

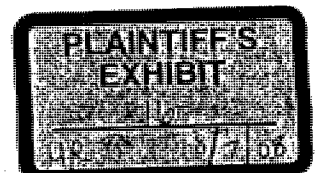
Date: JUNE 7TH 1996

[Signature]  
CHURRASCHARIA BOI NA BRASA

[Signature]  
Witness:

[Signature]  
TRUMP TAJ MAHAL CASINO RESORT

TS 001287



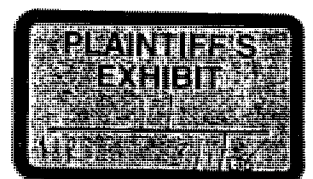
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*Terra Sul Corporation v. Boi Na Brasa, Inc.*

**EXHIBIT NO. 17**

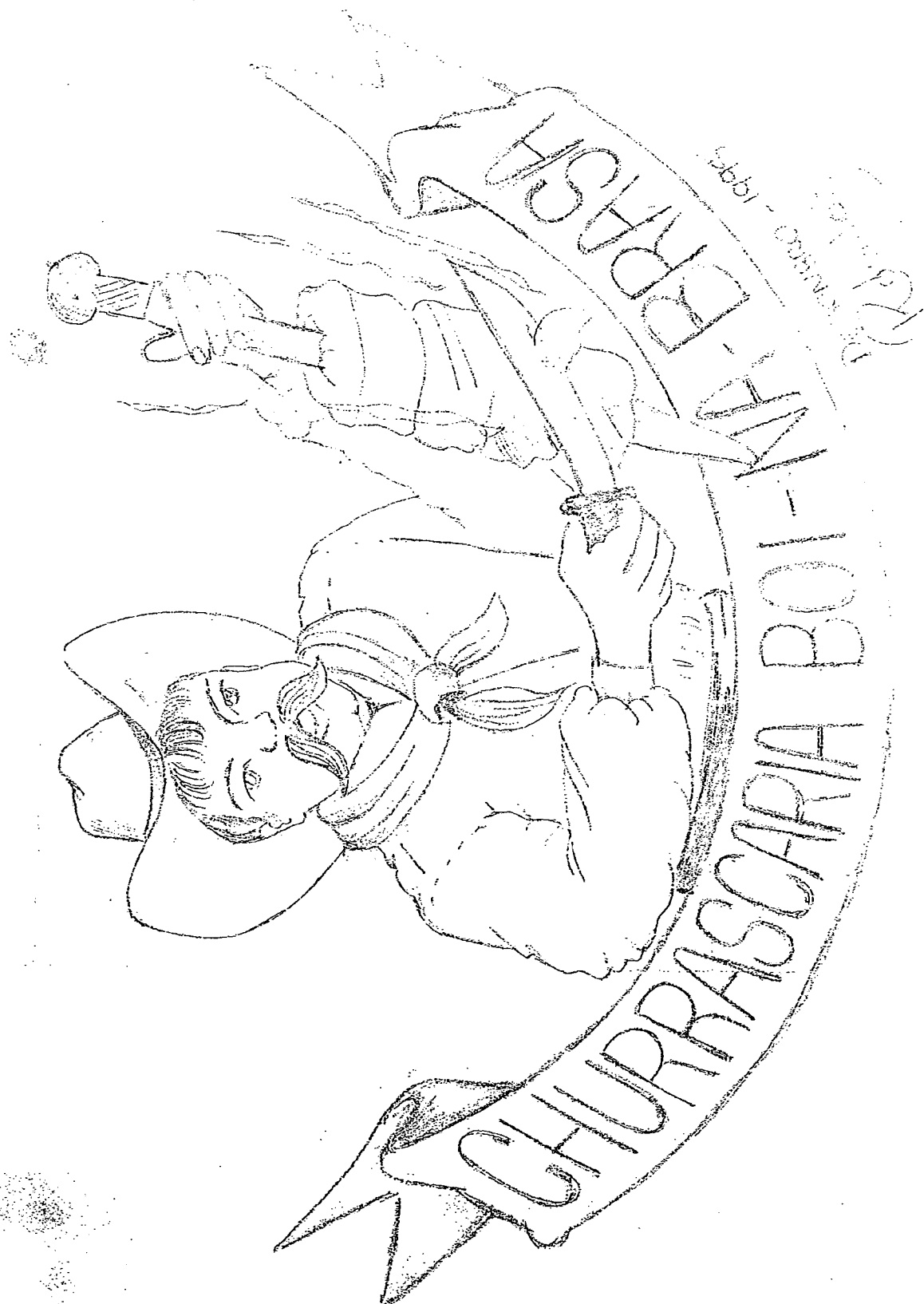
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### Galleries



Happy Birthday, Mr. Black

by Tricia Romano

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## Best Choice Churrascaria - *BOI NA BRASA*

The all-you-can-eat meat feast called churrascaria has become commonplace around town; in fact, I even spotted one on Avenue B. Still, to save money and rub elbows with actual Brazilians one has to go to Newark's Ironbound, an easy ride on the PATH. Of the several I've reviewed there, current fave is **Boi Na Brasa**, off the beaten path in a strip mall decorated like a South American farmstead. The bacon-wrapped turkey is diverting, but I go right for the picanha and the blood-dripping beef rib. All meat is cooked over charcoal, and, even though there's a wine list, you can also bring your own. (Robert Sietsema)

NEWARK, NEW JERSEY  
70 Adams Street, store 4

<http://www.villagevoice.com/bestof/2006/category/food/146>



1/17/2007

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## Other Food categories:

**PERFECT DOWNTOWN PIZZA**

*Adrienne's Pizza Bar*

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*Africa Kine*

**MOST VERSATILE TURK**

*Ali Baba*

**MOST ADORABLE DODGERS SHRINE**

*Armondo's Pizzeria*

**BEST PRODIGIOUS PIES**

*Aron's*

**MOST TITILLATING TORTILLA**

*Barca 18*

**BEST RESTAURANT NAME**

*Baza*

**AWESOMEST AUSTRIAN**

*Blaue Gans*

**BEST CHOICE CHURRASCARIA**

*Boi Na Brasa*

**BEST USE OF BEANS**

*Bosna Express*

**WILDEST WEENIES**

*Boulevard Drinks*

**SUREST SUSHI—BROOKLYN**

*Bozu*

**RAUNCHIEST RABBIT**

*Brasserie Ruhlmann*

**SMALLEST EATERY**

*Brazil Café*

**BEST STEAK HOUSE ALTERNATIVE**

*Buenos Aires*

**GRANDEST GROUND MEAT**

*Bulgara*

**BEST VEGAN FEED**

*Café Viva*

**BEST TOP-NOTCH TEUTONIC**

*Chalet Alpina*

**LATEST CHEESESTEAK**

*Cheesesteak Factory*

**MOST INGENIOUS INDO-CHINESE**  
*Chopstick*

**STRANGEST SANDWICH—POULTRY**  
*Ciccio's Pizza*

**BEST BABY CHICKEN**  
*Colbeh*

**RICHEST CARROT CAKE**  
*Concourse Jamaican Bakery*

**MOST EFFICACIOUS DOG**  
*Coney's*

**BEST GALLERY-HOPPING FEED**  
*Cookshop*

**BEST OUTRAGEOUSLY GOOD ORGANIC**  
*Counter*

**BEST SUAVE SICILIAN**  
*Dani*

**BEST JUICY JERK**  
*Danny Express*

**TASTIEST TACOS**  
*De Guerreros Taqueria*

**BEST USE OF LAMB**  
*Degustation*

**GREATEST GRITS**  
*Ditch Plains*

**BETTER BROOKLYN BURGER**  
*Dumont Burger*

**BEST USE OF SPINE**  
*Ebisu*

**FABULOUS OLD-FASHIONED MALTED MILK**  
*Egger's*

**LIVELIEST AND MOST LIVID LLAPINGACHOS**  
*El Patio*

**BEST JAPANESE—MIDSCALE**  
*En Japanese Brasserie*

**TONIEST TUNA**  
*Falai Panetteria*

**BEST USE OF WATERMELON**  
*Fatty Crab*

**MOST ATAVISTIC AFRICAN**  
*Florence's*

**BEST NEWFANGLED ITALIAN**

*Frankies 457 Spuntino*

**BEST OLD-FASHIONED ITALIAN**  
*Frost*

**MOST VIVACIOUS VERANDA**  
*Garden Bay*

**TOP TEXAS BARBECUE**  
*Halal Food*

**STRANGEST SANDWICH—SAUSAGE**  
*Havana Sandwich Queen*

**WEIRDEST WOBBLY YELLOW STUFF**  
*Himalayan Yak*

**VERY BEST BREAKFAST**  
*Ici*

**MOST CONGENIAL CARPETBAGGER**  
*Ithaka*

**BEST GNARLY NOODLES—QUEENS**  
*Ja Gal Chi*

**BEST FANTASTIC FRANCHISE FRIES**  
*Joe's Bestburger*

**STRANGEST SANDWICH—SEAFOOD**  
*John's Famous Deli*

**COOLEST KOREATOWN NOODLES**  
*Kum Ryong*

**SUPERLATIVE STEAK**  
*Landmarc*

**WORLD'S FOREMOST DUMPLINGS**  
*Lao Bei Fang*

**SECOND-BEST STATEN ISLAND PIZZA**  
*Larocca's*

**BEST SEXY SAUSAGES**  
*Lederhosen*

**BEST EXTRAORDINARY OXTAILS**  
*Les' Restaurant*

**MOST OLD-FASHIONED KOSHER DELI**  
*Liebman's*

**BEST FREAKY FRIES**  
*Little Pepper*

**LOVELIEST LIVERWURST**  
*Loreley*

**BEST FIERY FOOD**  
*Los Dos Molinos*

**BEST DURABLE DOMINICAN**

*Los Viejos Amigos*

**BEST INNOVATIVE JAMAICAN**  
*M & A*

**BEST USE OF TESTICLES**  
*Maremma*

**BEST BRAWNY BAR FOOD**  
*Mazorca*

**BEST STAR WARS NOODLES**  
*Menkui Tei*

**BEST USE OF BABY GOAT**  
*Metsovo*

**DOPEST NON-DUMPLING DUMPLINGS**  
*Mie Jakarta*

**FINEST FRIED CHICKEN**  
*Mitchell's Soul Food*

**TINIEST THAI**  
*Mom Mam #1 Thai*

**FRESHEST FISH**  
*Morgan Seafood*

**BEST JAPANESE—UPSCALE**  
*Morimoto*

**BEST USE OF PRUNES**  
*Nomad*

**STRANGEST SANDWICH—PORK**  
*Noodle Bar*

**BEST USE OF REINDEER**  
*Nordic Delicacies*

**CHOICEST CONCEALED CHOW**  
*Nuevo Mexico*

**DAINTIEST DIM SUM—CHAMP**  
*Oriental Food Restaurant*

**BEST BUTCHER**  
*Pino's Meat Market*

**BEST RAUNCHY RIBS**  
*R.U.B.*

**BEST USE OF CLAMS**  
*Road House*

**BEST GROOVIEST GOO**  
*Sanaa*

**BEST JAPANESE—DOWNSCALE**  
*Sapporo*

**STUDLIEST SOUP DUMPLINGS**

*Shanghai Café*

**MOST MAGNIFICENT MANDOO**

*Shinpo Korean*

**MARVELOUS MALAYSIAN**

*Skyway*

**BEST GROOVY GYRO**

*Spartan Souvlaki*

**BEST DEADLY DOSAS**

*Sri Ganesh's Dosa House*

**OY! OKINAWAN**

*Suibei*

**WORLD'S BEST NOODLES**

*Super Taste*

**SUREST SUSHI—DOWNTOWN MANHATTAN**

*Sushi à la Kawa*

**BEST UNEXPECTED OUTDOOR DINING**

*Taam Tov*

**CHILLEST CHILI**

*Taquería D.F.*

**MOST SENSATIONAL SPLURGE**

*Telepan*

**FARTHEST-FLUNG ASIAN**

*Thai Food House*

**BEST USE OF EGGS**

*Uovo*

**SUMATRA SYMPHONY**

*Upi Jaya*

**GOLDEN BLINTZ AWARD**

*Veselka*

**BRAINIEST SCIENCE RESTAURANT**

*WD-50*

**DAINTIEST DIM SUM—RUNNER-UP**

*World Tong*

**MAGNIFICENT MOUNTAIN**

*Yemen Cuisine*

**BEST TRENDY TURK**

*Zeytin*

**BEST UPPER EAST SIDE BURGER**

*Zip Burger*

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# EXHIBIT C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

TERRA SUL CORPORATION A/K/A	§	
CHURRASCARIA BOI NA BRASA	§	
	§	
Opposer,	§	
	§	
V.	§	OPPOSITION NO. 92047056
	§	
BOI NA BRAZA, INC.,	§	
	§	
Applicant.	§	

**APPLICANT'S NOTICE OF RELIANCE UNDER  
TRADEMARK RULES OF PRACTICE 2.120(j) (1) & (3) and 2.122(e)**

Applicant, Boi Na Braza, Inc., hereby files this Notice of Reliance with the Trademark Trial and Appeal Board pursuant to Trademark Rules of Practice 2.120(j) (1) & (3) and 2.122(e), and the Trademark Trial and Appeal Board Manual of Procedure 704 et seq. and gives notice in accordance with the above rules of its intention to rely on the following material, copies of which are attached hereto and incorporated herein by reference:

**Discovery Deposition of Adverse Party**

30(b)(6) Deposition of Terra Sul Corporation a/k/a Churrascaria Boi Na Brasa, taken of Farid Saleh on March 25, 2008, and attached Exhibits 1-15.

**Official Record**

State of New Jersey Business Registration Certificate issued June 12, 2008, page 1 of 1. This record is relevant to showing ownership of Opposer's alleged BOI NA BRASA service mark.

Dated: November 12, 2008

Respectfully submitted,

THOMPSON & KNIGHT LLP

By: Remy M. Davis  
Remy M. Davis  
THOMPSON & KNIGHT LLP  
1722 Routh Street  
Suite 1500  
Dallas, Texas 75201  
(214) 969-1700  
(214) 969-1751 (FAX)

ATTORNEY FOR APPLICANT